

R E P O R T

FROM THE

S E L E C T C O M M I T T E E

ON

SALE OF INTOXICATING LIQUORS  
ON SUNDAY (IRELAND) BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

M I N U T E S O F E V I D E N C E,

A N D A P P E N D I X.

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*Ordered, by The House of Commons, to be Printed,  
9 May 1877.*

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*Monday, 12th February 1877.*

*Ordered, THAT the SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL be read a second time, and committed to a Select Committee.*

*Ordered, THAT it be an Instruction to the Committee, that they do take Evidence as to the applicability of the Measure to the Dublin Metropolitan Police District, the Town of Belfast, and the Cities of Cork, Limerick, and Waterford.*

*Friday, 16th February 1877.*

*Committee nominated as follows:—*

Sir Michael Hicks Beach.  
Mr. Law.  
Mr. Bruen.  
Mr. Melden.  
Mr. William Johnston.  
Mr. Richard Stuyth.  
Mr. Mulholland.  
Mr. Maurice Brooks.

Lord Charles Berensford.  
Mr. Murphy.  
Mr. Charles Lewis.  
Mr. Marten.  
Dr. Cameron.  
Mr. Sullivan.  
Colonel Cole.

*Ordered, THAT the Committee have power to send for Persons, Papers, and Records.*

*Ordered, THAT Five be the Quorum of the Committee.*

*Friday, 23rd February 1877.*

*Ordered, THAT the Committee do consist of Seventeen Members.*

*Ordered, THAT Mr. Ion Hamilton and Mr. O'Shaughnessy be added to the Committee.*

*Thursday, 22nd March 1877.*

*Ordered, THAT Mr. Mulholland be discharged from further attendance on the Committee.*

*Ordered, THAT the Marquis of Hamilton be added to the Committee.*

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R E P O R T.

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THE SELECT COMMITTEE, to whom the SALE of INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL was referred, have considered the said Bill, and taken Evidence thereon, which they have agreed to Report to the House; and have gone through the Bill, and made Amendments thereunto.

9 May 1877.

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# PROCEEDINGS OF THE COMMITTEE.

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*Tuesday, 20th February 1877.*

## MEMBERS PRESENT:

Colonel Cole.  
Mr. William Johnston.  
Mr. Charles Lewis.  
Mr. Maurice Brooks.  
Mr. Mulholland.  
Lord Charles Beresford.

Mr. Sullivan.  
Dr. Cameron.  
Mr. Richard Smyth.  
Mr. Marten.  
Sir Michael Hicks Beach.

Sir MICHAEL HICKS BEACH was called to the Chair.

The Committee deliberated.

[Adjourned till Friday next, at Twelve o'clock.

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*Friday, 23rd February 1877.*

## MEMBERS PRESENT:

Sir MICHAEL HICKS BEACH in the Chair.

Mr. Law.  
Dr. Cameron.  
Mr. William Johnston.  
Mr. Richard Smyth.  
Mr. Marten.  
Mr. Maurice Brooks.  
Mr. Bruen.

Mr. Meldon.  
Mr. Mulholland.  
Colonel Cole.  
Lord Charles Beresford.  
Mr. Sullivan.  
Mr. Charles Lewis.

Mr. Nicholson, Mr. Reid, and Captain Tallot were severally examined.

[Adjourned till Tuesday next, at Twelve o'clock.

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*Tuesday, 27th February 1877.*

## MEMBERS PRESENT:

Sir MICHAEL HICKS BEACH in the Chair.

Mr. Murphy.  
Mr. O'Shaughnessy.  
Mr. Meldon.  
Colonel Cole.  
Mr. Bruen.  
Mr. William Johnston.  
Mr. Sullivan.  
Mr. Law.

Mr. Richard Smyth.  
Mr. Mulholland.  
Mr. Maurice Brooks.  
Mr. Ion Hamilton.  
Dr. Cameron.  
Mr. Charles Lewis.  
Mr. Marten.

Captain Tallot was further examined.

[Adjourned till Friday next, at Twelve o'clock.

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*Friday, 2nd March 1877.*

MEMBERS PRESENT:

Sir MICHAEL HICKS BEACH in the Chair.

Mr. William Johnston.  
Mr. Meldon.  
Mr. O'Shaughnessy.  
Lord Charles Beresford.  
Mr. Ion Hamilton.  
Mr. Sullivan.  
Mr. Bruen.  
Mr. Richard Smyth.

Colonel Cole.  
Mr. Maurice Brooks.  
Mr. Law.  
Mr. Murphy.  
Mr. Charles Lewis.  
Mr. Mulholland.  
Mr. Marten.

Captain George Talbot was further examined.

Mr. R. Carr was examined.

[Adjourned till Tuesday next, at Twelve o'clock.

*Tuesday, 6th March 1877.*

MEMBERS PRESENT:

Sir MICHAEL HICKS BEACH in the Chair.

Colonel Cole.  
Lord Charles Beresford.  
Mr. Meldon.  
Mr. Ion Hamilton.  
Mr. Maurice Brooks.  
Mr. William Johnston.  
Mr. Richard Smyth.

Mr. Bruen.  
Mr. Murphy.  
Mr. O'Shaughnessy.  
Dr. Cameron.  
Mr. Law.  
Mr. Sullivan.  
Mr. Mulholland.

Mr. F. R. Falkner, Q.C., Recorder of Dublin, was examined.

[Adjourned till Friday next, at Twelve o'clock.

*Friday, 9th March 1877.*

MEMBERS PRESENT:

Sir MICHAEL HICKS BEACH in the Chair.

Mr. Law.  
Mr. William Johnston.  
Mr. Murphy.  
Mr. O'Shaughnessy.  
Mr. Ion Hamilton.  
Mr. Bruen.

Colonel Cole.  
Mr. Meldon.  
Mr. Mulholland.  
Mr. Sullivan.  
Dr. Cameron.

Mr. McSwery and Mr. Woodcock were severally examined.

The Committee deliberated.

[Adjourned till Tuesday next, at Twelve o'clock.

*Tuesday, 13th March 1877.*

MEMBERS PRESENT:

Sir MICHAEL HICKS BEACH in the Chair.

Mr. Law.  
Mr. William Johnston.  
Mr. Bruen.  
Mr. Maurice Brooks.  
Mr. Murphy.  
Mr. O'Shaughnessy.

Colonel Cole.  
Mr. Marten.  
Mr. Ion Hamilton.  
Mr. Sullivan.  
Dr. Cameron.

Mr. Dwyer and Mr. O'Donnell were severally examined.

[Adjourned till Friday next, at Twelve o'clock.

*Friday, 16th March 1877.*

MEMBERS PRESENT:

Sir MICHAEL HICKS BEACH in the Chair.

Lord Charles Beresford.  
Colonel Cole.  
Mr. Sullivan.  
Mr. Law.  
Mr. O'Shaughnessy.

Mr. Maurice Brooks.  
Mr. Murphy.  
Mr. Ion Hamilton.  
Mr. Bruen.  
Dr. Cameron.

Mr. T. Russell and Mr. J. Dwyer were severally examined.

[Adjourned till Tuesday next, at Twelve o'clock.

*Tuesday, 20th March 1877.*

MEMBERS PRESENT:

Sir MICHAEL HICKS BEACH in the Chair.

Lord Charles Beresford.  
Colonel Cole.  
Mr. Ion Hamilton.  
Mr. Marten.  
Mr. Meldon.  
Mr. Maurice Brooks.

Dr. Cameron.  
Mr. Sullivan.  
Mr. Bruen.  
Mr. Law.  
Mr. Charles Lewis.

Mr. Higgins, Mr. Briscoe, and Mr. Murray were severally examined.

[Adjourned till Friday next, at Twelve o'clock.

*Friday, 23rd March 1877.*

MEMBERS PRESENT:

Sir MICHAEL HICKS BEACH in the Chair.

Mr. Maurice Brooks.  
Mr. O'Shaughnessy.  
Dr. Cameron.  
Mr. Malden.

Mr. Ion Hamilton.  
Mr. Sullivan.  
Mr. Law.  
Mr. Charles Lewis.

In the absence of Sir Michael Hicks Beach, Dr. Cameron was called to the Chair.

Mr. McColl was examined.

[Adjourned till Friday, 6th April, at Twelve o'clock.

*Friday, 6th April 1877.*

MEMBERS PRESENT:

Sir MICHAEL HICKS BEACH in the Chair.

Mr. Maurice Brooks.  
Mr. Malden.  
Dr. Cameron.

Mr. O'Shaughnessy.  
Mr. Sullivan.

Mr. Linden was examined.

[Adjourned till Tuesday, 10th April, at Twelve o'clock.

*Tuesday, 10th April 1877.*

MEMBERS PRESENT:

Sir MICHAEL HICKS BEACH in the Chair.

Mr. Richard Smyth.  
Mr. Maurice Brooks.  
Dr. Cameron.

Colonel Cole.  
Mr. Malden.  
Mr. Charles Lewis.

Mr. List, Mr. Thynne, and Mr. Orme were severally examined.

[Adjourned till Friday next, at One o'clock.

*Friday, 13th April 1877.*

MEMBERS PRESENT:

Sir MICHAEL HICKS BEACH in the Chair.

Mr. Richard Smyth.  
Mr. Bruen.  
Mr. Maurice Brooks.  
Dr. Cameron.  
Mr. Murphy.  
Mr. William Johnston.

Mr. Sullivan.  
Mr. Charles Lewis.  
Colonel Cole.  
Mr. Malden.  
Mr. Marten.

Mr. Preston and Mr. Herrell were severally examined.

The Committee deliberated.

Motion made, and Question "That, except as to witnesses already summoned, the evidence as to the applicability of the Bill to the Dublin Metropolitan Police District and the town of Belfast be considered closed, and having regard to the amount of evidence already received which is applicable to the cities of Cork, Limerick, and Waterford, the Committee do not consider it advisable to receive further evidence except from persons holding or having held official positions in these cities, whose means of knowledge render them specially competent to aid the Committee by their testimony in deciding as to the applicability of the measure to these cities"—(Mr. *Meldon*)—put, and agreed to.

Mr. *Macleod* was examined.

[Adjourned till Tuesday next, at Twelve o'clock.

*Friday, 17th April 1877.*

MEMBERS PRESENT:

Sir MICHAEL HICKS BEACH in the Chair.

Marquis of Hamilton.  
Mr. Bruen.  
Mr. Maurice Brooks.  
Mr. Richard Smyth.  
Mr. William Johnston.  
Mr. Murphy.

Mr. O'Shaughnessy.  
Mr. Sullivan.  
Mr. Meldon.  
Dr. Cameron.  
Colonel Cole.

Mr. *Kennagh*, Mr. *Daly*, Mr. *Berry*, and Mr. *Curtis* were severally examined.

[Adjourned till Friday next, at Twelve o'clock.

*Friday, 20th April 1877.*

MEMBERS PRESENT:

Sir MICHAEL HICKS BEACH in the Chair.

Marquis of Hamilton.  
Mr. William Johnston.  
Mr. O'Shaughnessy.  
Mr. Richard Smyth.  
Mr. Ion Hamilton.  
Mr. Sullivan.  
Mr. Murphy.

Mr. Lew.  
Mr. Bruen.  
Mr. Maurice Brooks.  
Mr. Charles Lewis.  
Dr. Cameron.  
Colonel Cole.

Mr. *Clarry*, Mr. *Galbrey*, and Mr. *Spillane* were severally examined.

On examination of Mr. *Spillane* by Mr. *O'Shaughnessy*, the Committee deliberated:—Motion made, and Question, "That Mr. *O'Shaughnessy* be allowed to read to the Witness the letter from John Godsell, President of Trades, Limerick, and examine him as to his knowledge of the writer"—(Mr. *Sullivan*)—put, and agreed to.

Mr. *Maccarty* was examined.

[Adjourned till Tuesday next, at Twelve o'clock.

*Tuesday, 24th April 1877.*

MEMBERS PRESENT:

Sir MICHAEL HICKS BRACH in the Chair.

Mr. Richard Smyth.  
Mr. Sullivan.  
Mr. Ion Hamilton.  
Mr. Maurice Brooks.  
Mr. O'Shaughnessy.  
Marquis of Hamilton.  
Mr. Murphy.  
Mr. Bruen.

Lord Charles Beresford.  
Mr. Marten.  
Dr. Cameron.  
Mr. Law.  
Colonel Cole.  
Mr. William Johnston.  
Mr. Charles Lewis.

The Committee deliberated.

Motion made, and Question proposed, That the Resolution agreed to on Friday, 13th April, "That except as to witnesses already summoned, the evidence as to the applicability of the Bill to the Dublin Metropolitan Police District and the town of Belfast be considered closed; and, having regard to the amount of evidence already received which is applicable to the cities of Cork, Limerick, and Waterford, the Committee do not consider it advisable to receive further evidence, except from persons holding or having held official positions in those cities whose means of knowledge render them specially competent to aid the Committee by their testimony in deciding as to the applicability of the measure to those cities," be rescinded—(Mr. O'Shaughnessy).—Motion, by leave, withdrawn.

Motion made, and Question put, "That notwithstanding the Resolution of the 13th of April, the Committee will receive evidence if offered from two representatives of persons likely to be affected by the closing of the public-houses on Sunday from each of the three towns of Cork, Limerick, and Waterford"—(Mr. Marten).—The Committee divided:

Ayes, 6.  
Mr. Marten.  
Mr. O'Shaughnessy.  
Mr. Murphy.  
Mr. Maurice Brooks.  
Marquis of Hamilton.  
Mr. Bruen.

Noes, 8.  
Mr. William Johnston.  
Mr. Richard Smyth.  
Mr. Sullivan.  
Mr. Ion Hamilton.  
Lord Charles Beresford.  
Mr. Law.  
Dr. Cameron.  
Colonel Cole.

Messrs. Spaight, O'Shaughnessy, Ellard, and Heard, were severally examined.

[Adjourned till Friday next, at Twelve o'clock.]

*Friday, 27th April 1877.*

MEMBERS PRESENT:

Sir MICHAEL HICKS BRACH in the Chair.

Mr. Ion Hamilton.  
Mr. Bruen.  
Mr. William Johnston.  
Mr. Richard Smyth.  
Mr. Murphy.  
Mr. O'Shaughnessy.

Lord Charles Beresford.  
Marquis of Hamilton.  
Mr. Marten.  
Mr. Sullivan.  
Mr. McKinn.  
Mr. Maurice Brooks.

Messrs. Freeman, Hanrahan, and Fisher, were severally examined.

[Adjourned till Tuesday next, at Twelve o'clock.]

*Tuesday, 1st May 1877.*

MEMBERS PRESENT:

Sir MICHAEL HICKS BEACH in the Chair.

Mr. Marten.  
Marquis of Hamilton.  
Mr. Murphy.  
Mr. William Johnston.  
Mr. Sullivan.  
Mr. Maurice Brooks.

Mr. Ion Hamilton.  
Mr. Bruen.  
Colonel Cole.  
Mr. O'Shaughnessy.  
Dr. Cameron.  
Mr. Charles Lewis.

The Committee deliberated.

[Adjourned till Friday next, at Twelve o'clock.

*Friday, 4th May 1877.*

MEMBERS PRESENT:

Sir MICHAEL HICKS BEACH in the Chair.

Marquis of Hamilton.  
Mr. William Johnston.  
Mr. Richard Smyth.  
Mr. Marten.  
Mr. Ion Hamilton.  
Colonel Cole.  
Mr. Charles Lewis.  
Mr. Maurice Brooks.

Mr. Murphy.  
Mr. O'Shaughnessy.  
Mr. Sullivan.  
Dr. Cameron.  
Mr. Bruen.  
Lord Charles Beresford.  
Mr. Law.  
Mr. Meldon.

The Committee proceeded to go through the Clauses of the Bill.

The Preamble was proposed.

Clause 1.—Amendment proposed, at the end of the Clause to add the words:—"in all places except the following, that is to say, within the Metropolitan Police District of Dublin Metropolis, and within the cities of Cork, Limerick, and Waterford, and the town of Belfast, and in the said police district, and within the said cities and town, the said hours or times are hereby extended, and shall be as follows, that is to say, up to the hour of two o'clock in the afternoon, and after the hour of seven o'clock in the evening"—(*The Chairman*).

Question put, That the words "in all places except the following, that is to say," be added to the Clause.—The Committee divided:

Ayes, 7.

Lord Charles Beresford.  
Mr. O'Shaughnessy.  
Mr. Murphy.  
Mr. Marten.  
Mr. Maurice Brooks.  
Marquis of Hamilton.  
Mr. Bruen.

Noes, 8.

Mr. Meldon.  
Dr. Cameron.  
Mr. Richard Smyth.  
Mr. Law.  
Mr. Sullivan.  
Mr. William Johnston.  
Colonel Cole.  
Mr. Ion Hamilton.  
Mr. Charles Lewis.

[Adjourned till Wednesday next, at Twelve o'clock.

Wednesday, 9th May 1877.

MEMBERS PRESENT:

Sir MICHAEL HICKS BRACH in the Chair.

Mr. Sullivan.	Mr. O'Shaughnessy.
Mr. William Johnston.	Mr. Bruen.
Colonel Cole.	Dr. Cameron.
Marquis of Hamilton.	Mr. Mellon.
Mr. Richard Smyth.	Mr. Ion Hamilton.
Mr. Maurice Brooks.	Mr. Charles Lewis.
Mr. Murphy.	

Clause 1, further considered.—Question put, That this Clause stand part of the Bill.  
—The Committee divided:

Ayes, 6.	Noes, 3.
Mr. Richard Smyth.	Mr. Murphy.
Mr. Sullivan.	Mr. Maurice Brooks.
Mr. William Johnston.	Mr. O'Shaughnessy.
Colonel Cole.	
Marquis of Hamilton.	
Mr. Bruen.	

Clause 2, *postponed*.

Clause 3—5, *agreed to*.

Postponed Clause 2, considered:—Amendment proposed, at the beginning of the clause, to insert the words "The licensing justices on the occasion of any application for a certificate for a new license, or for the transfer or renewal of a license which authorises the sale of any intoxicating liquor for consumption on the premises, upon it being proved to their satisfaction that it is necessary or desirable so to do for the accommodation of bona fide travellers, may (if they shall think fit) grant to any person so applying for a certificate for a new license, or a transfer or renewal of a license, an order, in this Act termed a traveller's exemption order (exempting such person from the provisions of this Act) with respect to the sale of intoxicating liquors by retail to bona fide travellers"—(Mr. Mellon).—Question put, That those words be there inserted:—The Committee divided:

Ayes, 10.	Noes, 3.
Mr. Richard Smyth.	Mr. Murphy.
Mr. Sullivan.	Mr. Maurice Brooks.
Mr. William Johnston.	Mr. O'Shaughnessy.
Colonel Cole.	
Marquis of Hamilton.	
Mr. Bruen.	
Mr. Mellon.	
Dr. Cameron.	
Mr. Ion Hamilton.	
Mr. Charles Lewis.	

Another Amendment made:—Question put, That this Clause, as amended, stand part of the Bill:—The Committee divided:

Ayes, 10.	Noes, 3.
Mr. Richard Smyth.	Mr. Murphy.
Mr. Sullivan.	Mr. Maurice Brooks.
Mr. William Johnston.	Mr. O'Shaughnessy.
Colonel Cole.	
Marquis of Hamilton.	
Mr. Bruen.	
Mr. Mellon.	
Dr. Cameron.	
Mr. Ion Hamilton.	
Mr. Charles Lewis.	

New Clause, to follow Clause 2. (Supervision of Refreshment Houses), brought up and read the first time as follows:—The provisions of the twentieth section of the Act passed in the Session of Parliament held in the twenty-third and twenty-fourth years of the reign of Her present Majesty, chapter One hundred and seven, which authorise any inspector, or superintendent, or serjeant of police, or any county inspector, sub-inspector, head

head or other constable, to enter at any time between the hours of nine at night and seven in the morning into all houses licensed as refreshment-houses under the authority of the said Act, and into and upon the premises belonging thereto, shall be, and the same are hereby extended, so as to apply as well to all the hours of the day as to the time between the hours mentioned in the said section—(The Chairman).

Question put, That this Clause be now read a second time.—The Committee divided :

Ayes, 10.	Noes, 3.
Mr. Richard Smyth.	Mr. Murphy.
Mr. Sullivan.	Mr. Maurice Brooks.
Mr. William Johnston.	Mr. O'Shaughnessy.
Colonel Cole.	
Marquis of Hamilton.	
Mr. Bruen.	
Mr. Meldon.	
Dr. Cameron.	
Mr. Ion Hamilton.	
Mr. Charles Lewis.	

Clause read a second time, and added.

New Clause, to follow Clause 3 (Extension of the third section of 35 & 36 Vict. c. 94), brought up and read the first time, as follows:—Any person keeping for sale by retail any intoxicating liquor which he is not licensed to sell by retail, or keeping for sale by retail any intoxicating liquor at any place where he is not authorised by his license to sell the same, shall be subject to the several penalties enacted by the third section of the Licensing Act, 1872, with respect to the offences therein specified; and the provisions of the said section shall extend to and include such keeping of intoxicating liquor for sale as aforesaid—(The Chairman).

Question put, That this Clause be now read a second time.—The Committee divided :

Ayes, 10.	Noes, 3.
Mr. Richard Smyth.	Mr. Murphy.
Mr. Sullivan.	Mr. Maurice Brooks.
Mr. William Johnston.	Mr. O'Shaughnessy.
Colonel Cole.	
Marquis of Hamilton.	
Mr. Bruen.	
Mr. Meldon.	
Dr. Cameron.	
Mr. Ion Hamilton.	
Mr. Charles Lewis.	

Clause read a second time and added.

New Clause (Construction of Act)—(The Chairman),—read the first and second time, and added.

New Clause (Nothing in this Act shall be construed to apply to sale of intoxicating liquor to lodgers)—(Dr. Cameron),—brought up, and read a first and second time, and added.

New Clause (Commencement of Act)—brought up, and read the first time, as follows:—This Act, so far as it relates to the Cities of Dublin, Cork, Limerick, and Waterford, and to the Town of Belfast, shall, save as hereinafter prescribed, commence and come into operation on the Fifteenth day of November, One thousand Eight hundred and Seventy-nine; and, so far as it relates to places situate elsewhere in Ireland, shall commence and come into operation on the Fifteenth day of November One thousand Eight hundred and Seventy-seven—(Mr. Bruen).

Question put, That this Clause be now read a second time.—The Committee divided :

Ayes, 4.	Noes, 9.
Mr. O'Shaughnessy.	Mr. Charles Lewis.
Mr. Murphy.	Mr. Meldon.
Mr. Maurice Brooks.	Mr. Richard Smyth.
Mr. Bruen.	Dr. Cameron.
	Mr. Sullivan.
	Mr. William Johnston.
	Colonel Cole.
	Marquis of Hamilton.
	Mr. Ion Hamilton.

New Clause (Commencement of Act)—(Mr. Meldon),—brought up, and read a first and second time, and added.

The Preamble was amended.—Question, That this Preamble, as amended, be the Preamble of the Bill,—put, and agreed to.

Bill, as amended, to be reported, together with the Minutes of Evidence and an Appendix.



The following SPECIAL REPORT—(Mr. Murphy)—brought up, and read the first time, as follows:—

"1. It has been proved to your Committee that the number of arrests and convictions for drunkenness on Sundays is much less than on any other day of the week; and that the state of each of the five localities referred to is on that day remarkably peaceful and orderly.

"2. It has been also proved that a very large number of persons make use of public-houses on Sunday, against whom no complaint whatever is alleged, to whom the measure contemplated by this Bill would be productive of serious inconvenience, and by whom it would be considered an undue and arbitrary interference with their lawful habits; and whilst this inconvenience and interference would occasion great discontent, it has not been shown that a corresponding benefit would result with regard to the class against whom this measure must be supposed to be specially directed. On the contrary, it would appear that those who drink to excess, and who form a very small percentage of the persons who make use of public-houses on Sunday, and are principally of the habitual drunkard class, would not be reached or restrained.

"3. It would appear to be probable that many, if deprived of the present facilities of getting refreshment, would have recourse to drinking in illicit houses, and to various methods of evading the law; and, as apprehended by some witnesses, might be induced to bring into their homes, and amongst their children, the use of liquor, which is now almost unknown there. Whatever benefit therefore might result from a further restriction of hours on Sunday, the interference with the habits of the people by the enforcement of total closing, would, as your Committee apprehend, have a tendency to create discontent. This discontent would, no doubt, be followed by evasion of the law, the law thus brought into disrepute, and effects produced the reverse of those intended by the Legislature.

"4. The result of the evidence laid before your Committee has not satisfied them that the measure now proposed has been called for by the bulk of the classes who make use of public-houses. Meetings in support of it have been held, promoted, and organised by the Sunday Closing Associations, and returns have been produced of the result of enquiries made by those associations, with the view of ascertaining the opinions of the inhabitants; but while admitting to the fullest extent the value which can be attached to such meetings and enquiries, as evidence of the existence of a feeling by a portion of the community in favour of the Bill, your Committee cannot, on the other hand, ignore the evidence of witnesses from each locality as to the feeling of other large portions of the community in opposition to it; and they are of opinion that no proof has been afforded of such a general demand for a measure of this nature as should induce Parliament to disregard the evidence of disinterested, responsible, and impartial official witnesses, which lead to a directly contrary conclusion.

"5. The evidence given by the official witnesses, viz., the resident and divisional magistrates, and the officers of the police and constabulary, has, almost without exception, been decidedly opposed to total Sunday closing. But they all recommend a further restriction of the hours. Your Committee would recommend that instead of total closing, the hours for keeping open should be from 2 p.m. to 7 p.m., with an extension to 8 p.m. in the summer months, in Dublin and Cork.

"6. Evidence has been laid before the Committee as to the working of the Sunday Closing Acts in Scotland, and while no doubt this law in that country is followed and aided by public opinion, and by the peculiar and traditional habits of the people as to the observance of the Sabbath, yet it admits of doubt that even in Scotland the provisions of the measure have been brought to work in a manner wholly satisfactory to its authors. The difficulty in this respect would appear amongst others to have arisen from the law on the question of the *bona fide* traveller; and the mode by which the solution of that difficulty has been attempted is by the abolition of the licensed victualler's power to give refreshment under any circumstances to anyone on Sunday, and the substitution of a few specially licensed houses or hotels, where alone the traveller can obtain refreshment. The Bill before the House does not propose to interfere with the existing law of Ireland as regards the *bona fide* traveller; but whatever may be the success of the present Scotch law in that country it does not therefore follow that a similar law would be either expedient or necessary, even if capable of being enforced in Ireland.

"7. The attention of the Committee has been directed by several of the witnesses to the necessity of conferring on the authorities some additional powers for the better detection and repression of illicit sales of drink; but they do not consider that it is competent for them under the terms of the order of reference to deal with the subject."

Question, That this Report be now read a second time, and considered, paragraph by paragraph,—put, and agreed.

## EXPENSES OF WITNESSES.

NAME of WITNESS.	PROFESSION or CONDITION.	From whence Summoned.	Number of Days Absent from House under Orders of Committee.	Allowance during Absence from House.	Expenses of Journey to London and back.	TOTAL Expenses allowed to Witness.
				£. s. d.	£. s. d.	£. s. d.
Andrew Reid - -	Constabulary - -	Dublin - -	5	8 3 -	5 9 -	6 12 -
G. Talbot - - -	Assistant Police Com- missioner.	Ditto - -	10	10 10 -	5 9 -	15 19 -
R. Carr - - -	Police Superintendent -	Ditto - -	6	6 6 -	5 9 -	11 15 -
V. R. Falkner - -	Recorder - - -	Ditto - -	5	5 - -	5 - -	10 - -
P. P. McNeill - -	Alderman - - -	Ditto - -	3	3 8 -	5 9 -	8 12 -
W. Woodcock - -	Magistrate - - -	Ditto - -	6	6 6 -	5 9 -	11 15 -
C. J. O'Donnell - -	Ditto - - -	Ditto - -	3	3 8 -	5 9 -	8 12 -
J. P. Delgany - -	Mechanic - - -	Ditto - -	3	1 10 -	4 1 -	5 11 -
P. Higgins - - -	Ditto - - -	Ditto - -	7	3 10 -	4 1 -	7 11 -
J. Wilson - - -	Ditto - - -	Ditto - -	3	1 10 -	4 1 -	5 11 -
H. Murray - - -	Ditto - - -	Ditto - -	3	1 10 -	4 1 -	5 11 -
A. McColl - - -	Chief Constable - -	Glasgow -	3	3 3 -	5 15 -	8 18 -
Thomas Lister - -	Police Superintendent -	Edinburgh -	3	3 3 -	5 14 -	8 17 -
E. Orme - - -	Stipendiary Magistrate	Belfast - -	3	3 3 -	5 14 -	8 17 -
H. Tyrone - - -	Inspector of Constab- ulary.	Ditto - -	3	3 3 -	5 14 -	8 17 -
D. Eberd - - -	- - - - -	Ditto - -	3	3 3 -	5 14 -	8 17 -
J. Penon - - -	Mayor of Belfast -	Ditto - -	3	3 3 -	5 14 -	8 17 -
J. S. McLeod - -	Resident Magistrate -	Cork - -	4	4 4 -	6 2 -	10 6 -
A. J. Lint - - -	Chief Constable - -	Edinburgh -	3	3 3 -	5 14 -	8 17 -
J. Daly - - -	Resident Magistrate -	Cork - -	4	4 4 -	6 2 -	10 6 -
J. Kavanagh - -	Secretary to Mechanics' Institution.	Belfast - -	3	3 3 -	5 14 -	8 17 -
J. Barry - - -	County Inspector -	Cork - -	4	4 4 -	6 2 -	10 6 -
J. Curtis - - -	Physician - - -	Cork - -	4	10 10 -	6 2 -	16 14 -
T. J. McCarthy - -	Resident Magistrate -	Limerick -	4	4 4 -	6 - -	10 4 -
N. B. Galloway - -	County Inspector -	Ditto - -	4	4 4 -	6 - -	10 4 -
A. W. Hoad - - -	- - - - -	Waterford -	4	4 4 -	8 16 -	13 - -
J. O'Donoghue - -	Physician - - -	Limerick -	4	10 10 -	6 - -	16 10 -
J. J. Cleary - - -	Alderman - - -	Ditto - -	4	4 4 -	6 - -	10 4 -
P. F. Hannon - -	Clerk of Petty Sessions	Waterford -	4	4 4 -	6 12 6	10 16 6
Joseph Fisher - -	Newspaper Editor -	Ditto - -	4	4 4 -	6 12 6	10 16 6
St. George Freeman -	Alderman - - -	Ditto - -	4	4 4 -	6 12 6	10 16 6
J. Elard - - -	Town Clerk - - -	Limerick -	4	4 4 -	6 - -	10 4 -
W. Spence, also attending Committee on Local Government and Taxation of Towns (Ireland), additional for two days extra detention.			2	2 2 -	- - -	2 2 -
				Total - - -	£.	225 17 6

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MINUTES OF EVIDENCE.

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## MINUTES OF EVIDENCE.

Friday, 23rd February 1877.

## MEMBERS PRESENT:

Sir Michael Hicks Beach.  
 Lord Charles Russell.  
 Mr. Maurice Brooks.  
 Mr. Bruce.  
 Dr. Cameron.  
 Colonel Coia.  
 Mr. William Johnston.

Mr. Law.  
 Mr. Charles Lewis.  
 Mr. Marten.  
 Mr. Midon.  
 Mr. Mulholland.  
 Mr. Richard Smyth.  
 Mr. Sullivan.

THE RIGHT HONOURABLE SIR MICHAEL HICKS BEACH, BART., IN THE CHAIR.

Mr. JAMES BADENACH NICOLSON, called in; and Examined.

Chairman.

Mr. Marten—continued.

1. I BELIEVE you hold some official position in Scotland?—Yes: I am a member of the Scotch Bar, and I am also Legal Secretary to the Lord Advocate of Scotland.

2. The Committee would be obliged if you would favour them with a statement as to the present law in Scotland with regard to licences for the sale of liquor; what kinds of licences are granted in Scotland?—Perhaps, if you would allow me to go a very little back in the history of the legislation in Scotland with regard to licensing, it would make more intelligible what I have to state as to the law. In the year 1828 an Act was passed, the 9 Geo. 4, c. 68, which is generally known as "The Home-Drummond Act," it having been introduced into the House of Commons by Mr. Home Drummond, the Member for Stirlingshire. That Act, for the first time, at least in recent times, prohibited the sale of intoxicating liquors during the hours of Divine Service in Scotland.

3. In mentioning "during the hours of Divine Service," were any hours specified?—These are the words of the certificate which regulated that matter; at least that portion of it which bears upon this question: "do not keep open house, or permit or suffer any drinking or tipping in any part of the premises thereto belonging during the hours of Divine Service on Sundays or other days set apart for public worship by lawful authority." There was no more distinct statement of the hours of Divine Service than is contained in the certificate.

Mr. Marten.

4. Did the license follow the words of the Act?—The certificate is in the schedule to the Act. Then, in 1853, another Act was passed, the 16

& 17 Vict. c. 87, which is generally known as "The Forbes Mackenzie Act," having been introduced by Mr. Forbes Mackenzie, who was at that time Member for Liverpool, but a Scotch proprietor, who had taken a great interest in Scotch matters. I should, perhaps, state here as a matter of history that Lord Kinross does not admit that Mr. Forbes Mackenzie is entitled to the credit of the Act, or to have his name upon it, as Lord Kinross introduced a similar Bill during the previous Session of Parliament, and carried it through the House of Lords. The provisions of the Forbes Mackenzie Act were, in the first place, that public-houses and premises of grocers who are licensed to sell intoxicating liquors should be closed altogether on Sundays; and in the second place that hotels and inns should be closed except to *bona fide* travellers and lodgers. Perhaps I may explain that in the Forbes Mackenzie Act the definition of an hotel was a house where there were four beds for the accommodation of travellers. That is not exactly the provision now in force under the Act of 1862, which I will explain by-and-by when I come to that Act. Then in the years 1859 and 1860 a Royal Commission, an itinerant Commission, took a vast amount of evidence in Scotland in regard to the working of the Forbes Mackenzie Act, and with special reference to the question of Sunday closing. I have got here their Report, which, I have no doubt, is familiar to all the Members of the Committee. Following upon the Report of the Royal Commission, a Bill was introduced in the year 1862, I think by Mr. Mure, who was at that time Member for the county of Bute, and is now one of the judges in Scotland, which ultimately

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notely became an Act, the 25 & 26 Vict. c. 35. That Act practically superseded the *Forbes Mackenzie Act*; re-suscitating, however, those provisions with reference to the closing of public-houses and hotels and grocers' premises by means of the various certificates which are given in the schedules to that Act. Perhaps at this point it would be well that I should read to the Committee portions of the various certificates applicable to the different classes of premises which are contained in the Act. There are three forms of certificate: one applicable to inns and hotels; one to public-houses; and a third to the premises of dealers in excisable liquors and grocers, and provision dealers trading in excisable liquors. In regard to inns and hotels, the provision in the certificate is that the licensee "do not open his house for the sale of any excisable liquors, or permit or suffer any drinking therein, or on the premises belonging thereto, or sell or give out the same on Sunday, except for the accommodation of lodgers and travellers." That is the provision with regard to inns and hotels. Then in regard to public-houses the provision is this: That the licensee "do not open his house for the sale of any liquors, or permit or suffer any drinking therein, or on the premises thereto belonging, or sell or give out the same, or any other goods or commodities on Sunday." With regard to grocers, the provision is this: "And do not open his premises for business or for the sale of any liquors or any goods or commodities whatsoever, or sell or give out the same on Sundays." The distinction between the three classes is this: That in regard to hotels and inns the holder of the premises may sell or give out excisable liquors for the accommodation of lodgers and travellers, whereas with regard to public-houses and grocers, there is an absolute prohibition against the opening of the premises at all on Sunday, for the sale or giving out of any kind of goods or commodities, whether excisable liquors or not. Perhaps at this point I might explain what is meant by an hotel in Scotland in the sense of the Licensing Acts. The definition is contained in the interpretation clause of the Act of 1862, Section 37, and it is in these words: "The expression 'inn and hotel' shall in towns and the suburbs thereof, refer to a house containing at least four apartments set apart exclusively for the sleeping accommodation of travellers; and in rural districts, and populous places not exceeding 1,000 inhabitants, according to the census last before taken, to a house containing at least two such apartments." The language is not very definite, but the construction, I believe, properly put upon it is this—that towns must be places containing a population of more than 1,000 inhabitants. A suburb, I understand, to include buildings continuous with the town, although they may happen to be beyond the municipal boundaries. The only other point with regard to the provisions of the Act of 1862, which probably it is necessary for me to explain here, is the provision in the certificate for inns and hotels, in reference to the right of the holder of the premises to sell or give out excisable liquors for the accommodation of lodgers and travellers. Now, in Scotland we have had the same difficulty with regard to what is meant by a *board* *side* traveller as there has been in England. The matter has never come before the Courts of Law in Scotland as it has done in England, because until last year it was not possible to

Mr. Marten—continued.

submit to the cognizance of one of the Supreme Courts in Scotland the question as to what a *board* *side* traveller was. The Scotch statutes were so framed that there was no appeal on such a point as whether the person who had been convicted had sold liquor to a person who was not a *board* *side* traveller. I think it is not improbable that under an Act passed in 1875—the Summary Prosecutions Appeals Act—that question may come before the Courts, but hitherto it has not come. The question was attempted to be brought before them in 1864, as honourable Members will see in the case of O'Donnell against Linton, on the 1st of November 1864, referred to on page 39 of Mr. Iron's Manual of the Public-Houses (Scotland) Acts, in which "an innkeeper having been convicted of breach of certificate by selling excisable liquors on Sunday to parties who were not *board* *side* travellers brought a suspension, *inter alia*, on the ground that the judgment was illegal and oppressive, in respect that the magistrate had held the fact of a sale on Sunday to persons who were not *board* *side* travellers, was a sufficient ground of conviction, though the seller had reason to believe, and believed, that they were *board* *side* travellers; but it was held that this was an attempt to obtain review on the merits, and the reasons of suspension were repelled." But then I may refer to what follows in this book:—"In *Johnston* against Leing, March 1876 (not reported) before referred to, Lord Young," who has recently held the office of Lord Advocate, "said, 'As to the construction of *board* *side* traveller,' I think that on the question of distance from home, either on business or on pleasure, four miles is a reasonable excuse for having a glass of beer in a public-house; and unless there was some strong exceptional evidence to that, it was hardly fair to find the respondent, if, for example, it was not the case of a man going into an hotel next door to his own, or in the next street. I entirely agree, however, that the ascertaining of the circumstances in each case is left to the magistrate, and that review upon the facts is excluded." However, I may perhaps state, although I cannot refer to any authoritative decision upon the point, that I believe the Scotch justices have been in the practice of acting generally on the same principles which have hitherto been applied in England to the case of *board* *side* travellers; that a *board* *side* traveller would certainly not be held to be a person who was resident in the neighbourhood, but that if he had come a distance of two or three miles, either on business or on pleasure, he would be held a *board* *side* traveller, and that the holder of an hotel license would be entitled to furnish him with excisable liquors on Sunday. I think that may be stated to be the effect of the general practice amongst the magistrates in Scotland who have occasion to try these cases. There is another provision in the Act of 1862, to which, probably, it is right I should refer, that contained in Section 22: "Every person who by any wilfully false representation shall induce any inn and hotel keeper, or the servant of any inn and hotel keeper, to sell or give out to him excisable liquors on any Sunday, or to sell or give out to him excisable liquors on any other day during hours when the sale of excisable liquors, excepting to lodgers or travellers, is prohibited by the certificate of such inn and hotel keeper, shall thereby be guilty of an offence, and on being convicted

Mr. Martin—continued.

convicted thereof by any sheriff or any one justice of the peace or magistrate, shall forfeit and pay a penalty not exceeding 5*l.*, and in default of immediate payment shall be imprisoned for a period not exceeding 30 days." That clause was inserted in the Act of 1862 for the protection of the honest seller of an hotel license, against his being imposed upon by persons who represent themselves as *bona fide* travellers, whilst they really are not so.

Chairman.

5. Are you aware whether that provision is often put in force?—I do not think so.

Mr. Brooks.

6. "Any other day" there refers to a day not Sunday, of course?—I presume that is the meaning.

Mr. Sarg.

7. It refers to the prohibited hours on any day of the week?—Yes; but there is an exception in favour of travellers. I think I have gone over pretty nearly all the points connected with the present state of the Scotch law with regard to Sunday closing. I ought, however, to refer to this, that at one time there was exceptional legislation with regard to licenses for the sale of table-beer. No certificate was required for the sale of table-beer at a certain price, which was mentioned in the Statutes, but in the last Session of Parliament the honorable Member for Glasgow, who is a member of this Committee, carried a Bill by which that exception was repealed, and the premises to which a beer license can be granted are now under the same regulations as premises held by grocers. The Act which effected that is the 39th & 40th of Victoria, chapter 26, section 17.

Chairman.

8. Are those the licenses which are mentioned in the Report of the Commissioners of Inland Revenue as granted to the retailers of beer?—I think it is very probable.

9. You see in that Report there is a list of the different kinds of licenses which are granted in the three kingdoms, and the number of licenses taken out under each class: would you be so good as to explain to the Committee which class you have referred to in your previous evidence, so that we may know how many cases in Scotland the law applies to in its different forms?—I am afraid, without a little more examination than I could make here, I could not answer the question, because the excise action with regard to licensing does not follow exactly the action of the magistrates.

10. Can you tell the Committee what the duty charged in Scotland on each kind of license is; that for inns and hotels, and that for public-houses?—If you refer to the 16 & 17 Viet. c. 67 (the Forbes Mackenzie Act), s. 8, they are there given. The duties are, where the license is granted for an inn, to sell beer, cyder, or perry by retail (whether to be drunk on the premises or not), "if the dwelling-house in which such person shall reside or retail beer, cyder, or perry at the time of taking out such license shall not, together with the offices, courts, yards, and gardens therewith occupied, be rated under the authority of any Act or Acts of Parliament for granting duties on inhabited houses, at a rent of 10*l.* per annum or upwards,

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Chairman—continued.

or shall not be rated or valued at such rent or annual value or upwards, 2*l.* 10*s.*, and 1*l.* rated above 10*l.*, 5*l.* 4*s.*. Then, where the license is to enable the retailer to sell spirits—whether to be drunk on the premises or not, the license, where the premises are of the value of 10*l.* or under, is 4*l.* 4*s.*; if rated at 10*l.*, and under 20*l.*, 5*l.* 5*s.*; if rated at 20*l.*, and under 27*l.*, 9*l.* 3*s.*, and so on up to 13*l.* 13*s.*, where the premises are rated at 30*l.* and upwards.

11. I do not gather from that section that there is any distinction in the duty or the license taken out by inns and hotels and by public-houses?—No, there is not.

12. So that for a license costing the same sum an inn or an hotel could obtain a certain privilege, with regard to sale on Sundays, which is denied to a public-house only?—That is so.

13. Can you tell at all the relative numbers of inns and hotel keepers in Scotland as compared with public-house keepers and grocers?—No, I cannot; but I will get it for the Committee.

14. The inn and hotel keepers would, I presume, be rather a person occupying superior premises to the other?—Yes, I should say so; at the same time there are premises of a very extensive character in towns, which are simply used as public-houses or grocers' premises.

15. Should you say that there was any difference between the class of people that would frequent an inn or hotel, and a public-house or grocer's shop on week days?—Certainly, I should say so; the class of people who would go to a public-house would be a very inferior class of people to those who would go to an hotel.

16. With regard to that class of persons, the law forbids them on Sundays to frequent the houses which they have been accustomed to frequent on week days, and obliges them, if they can do so as *bona fide* travellers, to frequent inns or hotels instead?—Yes, that is so.

17. Are you aware whether any grievance has been alleged on that head?—I have no doubt that wherever you stop, to a certain class, the obtaining of that which they desire to have in the way of intoxicating liquors, there will be a grievance felt; but I do not think there has been any grievance felt by what one may call temperate drinkers, by those who are not drunkards. I do not think there has been any feeling of hardship on that account; because of course the inns are closed to their wealthy neighbours, just in the same way as the public-houses are closed to themselves.

18. Are you aware what proportion of the cases of drunkenness on week days arise from inns and hotels as compared with public-houses and grocers' shops?—No; I have no information upon that point.

19. You have described to the Committee the exemption in the cases of lodgers and *bona fide* travellers from the application of the law; do you think that as a rule, so far as your knowledge extends, the interpretation of a *bona fide* traveller has been a very strict one?—No, I do not think I could say so; I think the hotel-keeper has always given his customer the benefit of the doubt, and I rather think that the magistrates have been inclined to extend a similar privilege to the hotel-keeper when he comes before them. Perhaps you would allow me to say that I think the provision in the English Act of 1874, with regard to *bona fide* travellers, would

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be a very useful one to be introduced into Scotland, if we were ever touching the licensing laws there, which is, that a minimum of three miles at all events must be reached before any one can profess to be a *bona fide* traveller.

24. Of course it is always difficult for an inn-keeper, especially in a large town, to know whether a man is three miles from home or not?—No doubt.

25. Have any cases come within your knowledge where drunkenness has been alleged to have been created by persons going out from a large town, like for instance, Glasgow or Paisley, to one of the suburbs, and frequenting inns there under the guise of *bona fide* travellers?—Yes, there is no doubt that that was one of the unfortunate results of the legislation of 1853, that it did make a considerable number of persons leave their own homes and go out into the suburbs so as to come within the description of *bona fide* travellers. That happened, I am quite aware, in the neighbourhood both of Glasgow and of Edinburgh; but in one of the suburbs of Edinburgh at all events, where it came to a considerable head, the magistrates took the matter into their own hands, and withheld licenses from those hotel-keepers whose houses were chiefly frequented by persons who really had no right to claim the benefit of the exception.

22. You mean that they revoked the licenses?—Yes, they revoked the licenses.

25. On what legal grounds?—In Scotland, I do not know whether you are aware, the license is granted not to the premises, but to the person, and it requires to be renewed every year, so that it is absolutely in the discretion of the licensing magistrates in Scotland to give or withhold a license any year without assigning any reason whatever.

24. Are all licensed houses in Scotland, which are not licensed for the consumption of beer or spirits on the premises, absolutely closed on Sunday?—All of them.

Mr. Low.

25. With regard to what you said as to the result of the legislation of 1853, that people went out of large towns into the neighbouring small towns for the purpose of drinking, which caused the magistrates to revoke the licenses of the houses that they frequented, what class of people were they that did this; were they the general public or were they habitual drunkards?—I have some difficulty in answering that question; you will find that matter very fully dealt with in the Report of the Royal Commission, and I could add nothing to what is stated there.

Chairman.

26. Will you just give us a reference to the page in the Commissioners' Report?—I may refer to Vol. I., pp. 158-9, 253, 338, 435, 505-6, 529-30; and Vol. II., pp. 66, 82, 355, 403, 461-2, 481, 679, 700.

Mr. Low.

27. With regard to that line in the certificate which is issued to hotels, "and do not open his house for the sale of any excisable liquors, or permit or suffer any drinking therein, or on the premises belonging thereto, or sell or give out the same on Sunday except for the accommo-

Mr. Low—continued.

dation of lodgers and travellers," has any difficulty been felt as to the part of the provision that he is not to sell or give out to any but lodgers or travellers; "lodgers" of course in the case of hotels, would mean lodgers in the house, and whom, therefore, the hotel-keeper knows; I suppose the sale is applicable to these, and the "giving out" to travellers?—Yes.

28. Then there is the same difficulty about giving out drink in ascertaining whether the purchaser is a *bona fide* traveller as if he was stopping to drink in the house; he may buy liquor at the hotel not for consumption on the premises, may he not?—Yes, certainly.

29. I suppose that must be the interpretation reading the words distributively?—I should think so.

30. There has been a complete stoppage of the sale of all excisable liquors, except in hotels, to travellers and lodgers, ever since 1853 in Scotland?—Yes, there has.

31. Has there ever been any attempt made on the part of any of the Scotch people to have that law altered?—On the contrary, I should say that if the people of Scotland were polled they would be largely in favour of the maintenance of the Act of 1853.

32. It has never been attempted to be repealed, has it?—It never has been attempted, and the publicans are quite as much in favour of it as the people.

Mr. Sayell.

33. You have stated that under the Act of 1828 there was a prohibition of the sale of excisable liquors during the hours of Divine Service; do you happen to know what were the hours of Divine Service at that date in Scotland?—I am not old enough to remember, but I think they were the same then as now, namely, from 11 o'clock until 1, or if the preacher happens to be a very long one, as occasionally happens in Scotland, somewhat later; and then in the afternoon from about a quarter past 2 until 4 o'clock; those are the usual hours of Divine Service.

34. At that date there was no evening service in Scotland?—I cannot absolutely say.

35. Are you aware whether there is usually an evening service even now in Scotland?—There is very frequently both in town and country; but I am not sure if the question were to arise what was meant by the hours of Divine Service that the evening service would be looked upon as what you might call legal Divine Service.

36. Then the transition from the law as it stood under the Act of 1828 to the state in which it stood under the Act of 1853, was somewhat sudden?—It was.

37. That is to say, there was no graduation in the shutting up of public-houses in Scotland as regards the number of hours from time to time during which the prohibition took effect?—There was none; I was resident in Edinburgh at the time, and I can remember perfectly well the change which immediately took place, particularly in the High-street of Edinburgh, where one had been accustomed to see on Sundays a large number of loiterers about the public-house doors immediately before and after the closing of the houses; upon the very first Sunday after the change took place the streets were absolutely deserted.

38. You stated that an hotel or an inn in Scotland



Mr. Segal—continued.

land is a house where there are in the case of towns four apartments provided for sleeping accommodation, and in country places two rooms for sleeping accommodation; are you aware whether in Scotland the people who keep gin palaces are ever provided with sleeping accommodation so as to bring them under the category of hotels?—I am not aware.

38. You think that that practice does not prevail in Scotland?—Not to my knowledge.

Mr. Marten.

40. Are you aware of any case in which public-houses have been converted into hotels or inns, or houses have been opened as hotels or inns for the purpose of making them available for the advantage of supplying refreshments to travellers, although they were not really intended to be used for the purpose of the accommodation of lodgers?—I believe that is so, particularly in the country. In answer to the question of the hon. Member, I was dealing with the case of gin palaces which occurs in towns, and, I think, there has not been an attempt in towns to convert them into hotels; but in the country I think it is otherwise, and I think there have been cases in which wretched accommodation has been provided in order to bring what was previously a public-house within the category of an hotel, and so have the privilege accorded to it. I do not think the cases are numerous; but I think it has been done.

41. Has it occurred in the suburbs of any large towns?—Not so far as I know. I think it has been more to meet the difficulty of a very scattered population.

42. Has any difficulty arisen with regard to entertainments given by lodgers in hotels and inns on Sunday; is it considered that a lodger is entitled to entertain a party of friends in an hotel or inn on Sunday?—I think so.

Mr. Brooks.

43. The Act prohibits the sale of liquors, or any other commodities whatsoever; does that refer to tobacco?—To everything.

44. And to confectionery?—Yes, everything. If the dealer takes a license for the sale of excisable liquors, he abandons his right to sell other commodities of every class during prohibited hours. He must take the disadvantage along with the advantage of the license.

45. Does the Forbes Mackenzie Act extend to the prohibition of the sale of tobacco or confectionery in other shops where excisable liquors are not retained?—No; it merely deals with licensed premises.

46. In Scotland is it permitted to sell these other commodities on Sundays in all places?—I should not like to use the word "permitted," but there is no doubt that they are sold. There are old laws against Sunday trading, but these are very rarely put in force.

47. Then I understand you to say that the authorities wink at the sale of tobacco, confectionery, and other commodities on Sunday?—They do.

48. With regard to the sale of excisable liquors, is that winked at as well?—No.

49. Can you explain to the Committee why they consent to breaches of the law with regard to these commodities, and not with regard to excisable liquors?—In the first place, the general

Mr. Broke—continued.

law against Sunday trading does not extend to anything like the same degree as that the law against dealing in excisable liquors on Sunday stands. They are very old statutes which affect the one, and they are recent statutes which relate to the other. Thus there is no doubt that there is a feeling in the minds of the authorities in Scotland that more harm is done by indulgence in excisable liquors than by indulgence in tobacco or confectionery. I am not sure that it is quite a legal question.

50. But they take the law into their own hands?—They do. Public opinion influences those people to a considerable extent, and public opinion would not, I think, support them in very stringent measures against persons who were selling tobacco or confectionery.

51. Then the magistrates draw the line; a line must be drawn somewhere, and they draw it between tobacco and excisable liquors?—Yes, they do. I should, however, explain that the number of shops for the sale of tobacco and confectionery which are open in Scotland on Sunday is very much less than in London and other towns in England. We are much stricter people in Scotland in the observance of the Sabbath in all particulars than they are in this sale of the T weed.

52. Can you inform the Committee of your own knowledge whether the police in Edinburgh and Glasgow exercise supervision with regard to the better class of hotels, and what is the nature of the supervision that they exercise?—With regard to the better class of hotels, I do not think that the police exercise any very minute supervision. The practice is varied, but I should say that at the present moment the amount of minute police supervision upon the better class of hotels is not very close.

53. May I ask you if the magistrates do not, as a matter of fact, wink at the practice of supplying drink in hotels to shopkeepers and to classes above the artisan and working classes?—I do not think one could say that the magistrates do; but referring to what I have just said, I think that the police authorities do not consider themselves bound to go into hotels kept by persons of known respectability and character to search out cases where there may be infringements of the law. I think they rather, in such a case, wait until an information is given, when it would certainly be followed up, and there would be no winking of the authorities if information were given.

54. May I ask you if, in your opinion, the exemption is in favour of the dealers in inns and hotels and of the unfranchised in public-houses?—I do not believe that such a consideration enters into the mind of anyone, from the humblest police constable upwards.

Mr. Cameron.

55. With regard to the last question of the hon. Member for Dublin, the franchise is on an entirely different basis in Scotland, is it not, from that on which it is in Ireland?—Yes, we have in Scotland, as in England, rated and rate-paying household suffrage which goes down in the large towns to a very humble class of the population.

56. Therefore, probably as large a proportion of ratepayers would frequent public-houses as hotels?—I have no doubt of it.

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57. An

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57. An honorable Member asked you a question as to the practice of turning gin palaces into hotels, or obtaining for them an hotel license for the purpose of evading the Act; is it not a fact that under the Scotch law provision is made against such a practice by requiring the holder of a public-house license not to reside on the premises?—I cannot say that there is any absolute prohibition against his residing on the premises, or at least on premises immediately in contact with the licensed premises; but then it is open to the magistrates under the Act of Parliament to make non-residence a condition of licensing the premises at all; and probably that attains the result which you refer to.

58. With regard to the laws against Sunday trading, these laws exist in this country, do they not, as well as in Scotland?—They do.

59. And the same amount of winking, or even a larger amount of winking, regarding their infraction goes on in England than in Scotland?—No doubt about it.

60. As to the operations of the police with regard to hotels in Scotland, I presume that all you meant to convey to the Committee was, that they do not work the Act in such a manner as to make its operation obnoxious or tyrannical, but they will always listen to any complaints on the subject of breaches of the licensing laws on the part of hotel-keepers?—If I did not express myself in that way, I failed to make my meaning understood.

Mr. Matheson.

61. I do not quite understand from your explanation, the essential distinction between the provisions of the Act of 1862 and the Act of 1853; they seem to me as if they were nearly similar?—So they are; there is exceedingly little distinction upon the point to which, I understand, the attention of the Committee is being directed, between the Act of 1862 and the Act of 1853.

62. There was no change instituted in consequence of the Commission which you said set in 1859 and 1860?—None; there was no change in the direction of enlarging the opportunities for opening on Sundays.

63. And the distinctions between hotels and public-houses were the same in both Acts?—They were the same in both.

64. Was it not inevitable that there should be such a distinction in consequence of the exemption of lodgers and *board* *for* travellers from the operation of the Act?—Certainly.

65. It was inevitable that houses frequented by *board* *for* travellers and lodgers should be distinguished from public-houses which were chiefly frequented by neighbours?—Yes, certainly.

66. There was no intention to make a distinction of social classes by the division?—None whatever.

67. You have stated that public opinion in Scotland is nearly unanimous in favour of Sunday closing, or, at least, it is a very strong feeling?—Certainly, there is a very strong feeling in favour of it.

68. How much of that feeling would you say arose from religious feeling as to the sanctity of the day, and how much from the impression of the social mischief which arises from opening public-houses; is it chiefly religious feeling, or is it chiefly a feeling of the social injury that arises

Mr. Matheson—continued.

from it?—I think I might say this, that the Act of 1853 was passed more in the interests of order than in the interests of temperance. I think it was more to prevent the occurrence of the scandals in the public streets on Sundays, by drunken persons coming out of, and going into, public-houses, than from any expectation that the closing of the public-houses on Sundays would make the people more temperate. I do not think that the latter was the moving cause in that legislation. Whether it had that second effect or not it is scarcely for me to say.

Mr. Melden.

69. Is it quite according to the provisions for the sale of liquor by hotel keepers that the word "lodger" means lodger residing in the house?—It is always understood so.

70. Taking it on the whole, is the spirit of the law, namely, to prevent tipping on Sundays, observed in Scotland, as a general rule, or are there many infringements of the law?—There are a considerable number of infringements of the law; there is no doubt about that; both in the case of inns and hotels, and elsewhere. I have no doubt that in some localities a great many frequent the hotels simply for the purpose of tipping, and also it is notorious that there are shebeens, or unlicensed houses, largely frequented in some localities.

71. I want to know whether that infringement is by the hotel keepers selling to persons that they ought not, or by the illicit sale of drink in shebeens and unlicensed houses?—There is infringement in both ways, undoubtedly.

Lord Charles Brough.

72. When the Forbes Mackenzie Act first came into force, were there any crowds outside the closed public-houses on Sundays?—No.

73. Was there no riot or disorder at all?—None at all.

Mr. Bruce.

74. I think you stated that Mr. Forbes Mackenzie was Member for Liverpool when he passed the Act which bears his name?—Yes.

75. Have you ever heard it said that he was chosen to take charge of the Bill because he did not stand for a Scotch constituency, inasmuch as if any Member standing for a Scotch constituency had taken up the Bill it might have endangered his seat?—I never heard that said; but I read a letter of Lord Kinnaird's the other day, in which he made this remark: that after Mr. Forbes Mackenzie had passed his Act he had never been able to get a seat in Parliament again for any place.

76. Can you tell the Committee during the passing of that Act through Parliament, what were the numbers, on each side, of the Members who represented Scotch constituencies who voted for and against the Bill?—I cannot.

77. I think I understood you to say that the legislation was demanded by public opinion in Scotland at the time?—I am not quite sure that I said so, but it has certainly been sanctioned by public opinion.

78. But it was not demanded by public opinion before it was passed?—I hardly like to speak very confidently upon that subject, but I have no doubt that it was in accordance with the general wish of the Scotch people, and I can

speak

Mr. *Baker*—continued.

speak positively that it is in accordance with their general wish that it should be maintained.

79. You stated that a good deal of drinking in the suburbs of Glasgow and Edinburgh and such large towns, went on by persons coming from the towns under the guise of *bona fide* travellers; have you heard whether this evasion of the Act was more prevalent immediately after it was passed than it is now?—Yes.

80. You think that the evasion has diminished?—Yes, I think so.

81. With reference to the habits of the population of the towns in Scotland, especially of the working classes, I presume that on Sundays at their dinner they are in the habit of using stimulants to a moderate extent, such as beer and spirits?—I do not think that beer is very largely used by the working classes in Scotland; in fact if I were to express an opinion, it would be that it would be much better for them if they used more beer and much less whisky; but I do not think that there is any very considerable use of stimulants by the working classes in Scotland along with their meals.

82. Not even on week-days when they can obtain a supply?—No, I think when they take stimulants they take them alone.

Mr. *William Johnston*.

83. Was there much excitement in Scotland previous to the passing of the Forbes Mackenzie Act?—No, I do not think there was.

84. You have mentioned that there is no legal definition of a *bona fide* traveller; do you not think it would be desirable that there should be such a definition?—It would be a very difficult thing to frame one.

85. In point of practice it has been limited, has it not, to persons coming a distance of four miles?—No, I do not think it has been limited so much as that. In the case that I read to the Committee, Lord Young said that where a man had gone four miles, he was quite entitled to a glass of beer, but I dare say he would have held him entitled if he had come a shorter distance.

86. I think you mentioned that the opinion of the publicans of Scotland is in favour of Sunday closing?—I think it is; of course not unanimously; but I think that the opinion of certainly the most respectable portion of that class is in favour of it.

87. Have the publicans ever complained of the difference of treatment as to licensing between them and the hotel-keepers?—I cannot say that I have heard them do so.

88. The honourable Member for Dublin asked some questions as to the sale of other articles, tobacco, &c. &c., and so on, on Sunday, and I think you mentioned that in some cases it was not severely dealt with?—I cannot say that it is dealt with at all.

89. So that one may draw the conclusion that it is from social and sanitary, and not from Sabbatarian, views that the magistrates are strict as regards the drinking?—I suppose they look upon tobacco as almost a necessity of life, and they deal with it as they would with food.

90. What is the usual course of legal proceedings in taking steps towards a prosecution under the Forbes Mackenzie Act?—The prosecution takes place in a town before the magistrates, by whom I mean the municipal magistrates, or aldermen, as they would be called in England or

Mr. *William Johnston*—continued.

in Ireland. In a county it takes place before the justices of the peace. The prosecution is instituted generally by the superintendent of police or the procurator fiscal or the justices of the peace, who brings the case before the magistrates, and evidence is led, and the magistrates, according to their opinion of the case, convict or find if the charge be established.

91. Would you kindly give your opinion as to the general results of the Sunday closing of public-houses in Scotland whether it has been beneficial or otherwise?—My own opinion is in accordance with that of the majority of my countrymen, that the Act has been beneficial both in its original intention and in what may now call its consequential results.

Mr. *Stirling*.

92. Do you remember the period at which the Forbes Mackenzie Act was introduced into Scotland?—Yes.

93. Do you know whether before it was introduced there were any apprehensions or allegations that riot would ensue if it was attempted to introduce such a law?—I think there was some slight apprehension, but I should explain that the Scotch are a very law-abiding people.

94. But did the opponents of the Bill ever declare that disorder would ensue from such an Act?—I think suggestions to that effect were made.

95. As a matter of fact were those apprehensions realized?—No; but I must say they were not very strong.

96. But when the Act was about to be introduced, was it not stated very strongly that it would be nearly impossible to apply it in the large cities, there would be such great difficulties?—Yes, it was.

97. Was it not stated to your knowledge by the keepers of public order at the time that it would be practically a failure in the large cities?—There was a feeling that it would be a failure.

98. And that the magistrates would be unable to cope with the difficulties of the situation?—There was that feeling, and in some towns, no doubt, it has failed.

99. Is it considered a failure in Edinburgh?—No, I should say not; certainly not.

100. Have the magistrates and the public authorities in Glasgow considered it a failure there?—No, but I do not think that it has been so heartily enforced in Glasgow as in Edinburgh; it has varied at different times. I could not say that it has been so uniformly and effectually enforced in Glasgow as in Edinburgh.

101. Do you think that the authorities in either town would prefer to have the old system?—I am quite sure that they would not.

102. Do you know of any class of the police staff or of the public authorities in Scotland who would say from their experience of this law that they would prefer the old system?—Certainly not the old system; but I am bound to say this, that some of the police authorities have suggested that there might be an opening of inns, distinguishing them from hotels, to some extent, so as to meet a difficulty that has been already suggested by some honourable Members with regard to enabling persons of the humbler ranks to get refreshments on Sunday; particularly I might refer to the evidence which was given

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before the Royal Commission in 1859 and 1860; by Captain Young, who was at that time Chief Constable of the County of Ayr. He threw out a suggestion (Report, Vol. II., pp. 124-5), which I believe represents a feeling that has been sustained by other police authorities.

103. I am confining my questions to the large cities, as I think the Committee is obliged to confine itself to large cities; who were the authorities who wished that particular modification as regards inns, but not as regards the general common sale; were they in Glasgow or Edinburgh?—I cannot say that there was any general feeling at all. I do not think that there ever has been any general feeling in the large towns in favour of severing in any degree to the old state of things.

104. Some fear, as all events, of the authorities in the one matter of inn facilities think that there might be some little modification?—It has been suggested, but it has never been taken up as a practical question by anyone.

105. There has been no riot nor disorder, and no really illicit trading, but I suppose in all large cities there is a considerable percentage of evasion of almost any law?—No doubt.

106. You would have no need of goals if there was not?—No doubt.

107. Notwithstanding the fact that there is some evasion of this law, do the authorities in the large cities think that the balance is still a gain to public order and morality?—I have no doubt of it.

108. You said about Mr. Forbes Mackenzie that you read somewhere that he was not able to get a seat in Scotland, or anywhere, after he had passed this Act; did the advocates of this measure find any difficulty in being returned in Scotland?—None. The Forbes Mackenzie Act, so called, is now looked upon as one of the fixed institutions of Scotland; we would just as soon attempt to overturn the franchise or any other privilege whatever; it is never spoken of on the hustings now at all.

109. In fact the national feeling and the general feeling is that they would not give it up for anything?—There is no doubt about that, whether they are right or wrong that is their opinion.

110. When I was visiting Glasgow, I think some one told me that in a house for the common sale of intoxicating drinks there must be no entrance to the shop unless from the public street; is that so?—The practice is this: The magistrates will not license premises to which there is what is called a back door.

111. Nor a door that would take you upstairs or to anywhere. The only entrance to the licensed premises must be through the public door in the street?—That is so.

112. And I believe that is found to be of the greatest assistance to the police in detecting breaches of the law?—That is so; and it is not at all an uncommon thing if an application is made for the licensing of premises that the application is refused, say this year, and the applicant is told, "If you alter your premises and build up a back door, or some other bolt-hole, you very likely may get a certificate next year." I may point out to the Committee that before a license is granted there must always be a certificate or report by a justice or magistrate that he has himself personally inspected the premises, and that they are suitable for the purpose of licensing,

Mr. Saffron—continued.

and that is one of the points to which the attention of the magistrate is always directed.

Mr. Braze.

113. That construction, which is held to be a necessity, only refers to one class of premises. Of course you could not prevent an hotel having a back door.

Mr. Saffron.

114. I am speaking now of general shops for common sale. Am I correctly informed that at the time the Forbes Mackenzie Act was before the House of Commons the police authorities of three of the large cities in Scotland were the least favourable to it, as they apprehended a fearful increase of their labour without much result; were not the police the greatest objectors so it at the time?—I cannot speak to the particular fact which you refer to, but I know that the police authorities at that time did fear that much increased responsibility would be thrown upon them.

Mr. Lax.

115. The answer which you gave a moment ago as to there being only one door, and that opening upon the street, was with regard to public-houses, was it not?—Yes.

116. Does the same rule hold in Scotland as to what we may call spirit grocers?—I do not think so, but I am not quite confident upon that point.

117. Have spirit grocers' licenses to be renewed every year?—Yes; just like the others.

118. Would the magistrates renew the license of a spirit grocer who sold whisky or excisable commodities if he had a back door or other door leading upstairs or elsewhere?—I rather think they would. My impression is that they would, because, of course, this distinction is made that a grocer is not entitled to sell for consumption on the premises.

119. Do they sometimes sell for consumption on the premises?—I am afraid that they do.

120. When you say that the police do not exercise as close a supervision over the better class of hotels as they do over other houses, I suppose you mean that they trust to the respectability of the house: they do not find it necessary, in fact?—That is so. I meant to make no charge against the police of unfair dealing to any one class of the community.

121. It would be needless to exercise the same supervision over the large hotels in Princess-street as over some of the smaller houses elsewhere?—Yes, that is so.

122. As to the sale of groceries, or confectionery, or tobacco, on Sunday, do I understand you to say that those commodities are openly and publicly sold, or that a kind of sale goes on which, though forbidden by law, is carried on in an underground way to some extent; are the shops kept open regularly?—Yes, to a very much less extent than in London, but still there are shops which are kept open.

Mr. Richard South.

123. When you were asked as to the facility of applying the Forbes Mackenzie Act in Scotland, you said that the Scotch were a law-abiding people; are you aware that in Glasgow there

Mr. R. Sayth—continued.

there is a large Irish population?—I am quite well aware of that.

124. Do you know what is the number of the Irish population in Glasgow?—I should suppose 100,000, very likely.

125. Would you apply this phrase of "low abiding" to the Irish population?—I meant to make no charge against any nationality.

126. You think that they still become immoderate with the spirit of obedience by their residence in Scotland?—Occasionally about the 12th of July we have some apprehensions in the West of Scotland.

127. Have those 100,000 Irish given much difficulty on the way of administering the Forbes Mackenzie Act?—I cannot say that I ever heard that they have.

128. You do not think that they have?—No. I never heard the suggestion made that they increased the difficulty.

129. As that, irrespective of nationalities altogether, this Sunday closing law has been applied effectively in Scotland?—I think so. In Dundee, I may say, there is a very large Irish population, amounting to, I believe, 50,000, chiefly work-people.

Mr. Martin.

130. As to the effect of Sunday closing upon the working classes, and their habits in large towns, do you consider that the effect has been that they abstain from spirits, or whatever excitable liquor they are accustomed to drink, on Sundays, or do they lay up a store beforehand, or do they obtain it at illicit stores; or what is the effect?—It is exceedingly difficult to say whether the result of the Act has been in any very considerable degree to make the Scotch more temperate people. I am afraid that I could not represent it strongly in that light. I think, as I said before, that the motive for passing it was more from considerations of order than from any expectation that it would increase temperance.

131. Do I understand you that you consider that the effect of the Act has been to promote public order, but that you are not prepared to say that it has had any effect in diminishing the amount of drinking on Sunday?—I am afraid I must admit that there is still very great room for improvement in Scotland in the matter of drinking.

132. Has the effect of the Act been to increase the illicit sale of excitable liquors in large towns?—Undoubtedly.

133. To any considerable extent?—No doubt.

134. Does it prevail, say, in Glasgow, to any considerable extent?—Yes.

135. Can you give the Committee any idea of the number of cases that are brought before the police during the year in Glasgow?—No, I have no figure; but if they are desired, I have no doubt that the police authorities of Glasgow will be the proper people to give you that information.

136. Can you give the Committee any idea of the increase of the number of places for the illicit sale of liquor?—No, I cannot.

137. Can you give the Committee any idea as to the way in which it is generally managed; are stores purchased from houses licensed for the sale of liquor on Saturday, and are those stores

Mr. Martin—continued.

then resold illicitly to other persons in public houses on Sunday?—That is done.

138. Is that commonly done in Glasgow?—No doubt.

139. Amongst the working classes?—No doubt.

140. Is there any difficulty for a working man to obtain any amount of liquor that he desires on Sunday in Glasgow?—There is one of course, the difficulty that he has to make provision either directly or indirectly for getting it, either legal.

141. Is there any difficulty in his obtaining it by means of the illicit sale on Sunday?—There is certainly a greater difficulty on the part of what you may call the better class of the population, those who respect the law, because they know that they are breaking the law if they go to a shebeen and get their liquor there. In that respect there is no doubt a very considerable increased moral difficulty in getting it; but I cannot say that to a man who is resolved to get liquor on Sunday there is any physical impossibility in his doing so.

142. Practically, a man who desires to have liquor on Sunday in Glasgow, you consider can obtain it?—I have little doubt that he can.

143. By means of illicit sale?—By means either of illicit sale, or by himself either alone or in concert with his friends, getting a store on the Saturday night, and keeping it until Sunday.

Mr. Maurice Brooks.

144. If the public-houses where the working men could get beer were open on Sunday, and they could without any breach of the law obtain their dinner beer on Sunday, would the consumption of whisky be diminished?—I think it is very probable it might. At the same time it must always be kept in view that the Scotch people do not care for beer; it does not seem to suit the northern climate or the northern stomach.

145. May not that be induced by the impossibility of obtaining fresh beer on Sunday?—But they may get it in any quantity on week days.

146. But you know that they cannot get it on Sunday?—I suppose that if a man could not get whisky he would take beer rather than drink water.

147. That is not the question; a man cannot now buy fresh beer on Sunday?—No.

148. Of course he will not drink stale beer?—I suppose he would even take that rather than water.

Colonel Coke.

149. You think that a man will get drunk on Sunday as well as on any other day if he chooses?—Yes.

Mr. Maurice Brooks.

150. Are not convictions for breaches of the law in Glasgow, Greenock, and the towns in the neighbourhood of Glasgow, very numerous?—Very numerous.

151. And therefore the law breaking on the part of the population has been increased by the Forbes Mackenzie Act?—Certainly, because you cannot break a law until it is in existence.

152. But then there are more law breakers?—No doubt.

153. It has encouraged the breaking of the law and has increased disrespect for the law?—I am not prepared to say that.

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154. You

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154. You say that the authorities were opposed to any change in the law; may I ask if those persons suffer any inconvenience by the closing of public-houses on Sunday?—No.

155. Their labours are lessened, and they have not the same amount of superintendence to exercise?—But with regard to the police, I think that the labours of the police are not lightened.

156. Why?—Because they have got this law to protect, and the breakers of it to watch.

157. And a number of shebeens to watch?—Yes, that is so.

158. Has it led to any increase of domestic intemperance?—I have no doubt that in individual cases it has done so.

159. And to demoralisation of family and domestic life?—I have no doubt that in individual cases it has done so; but to represent it as having had any extended influence in that direction on the community or the nation I think would be quite a mistake. Still there is no doubt that in individual cases men have been driven to drink in their families, in the presence of their wives and children, who would have otherwise drunk in a public-house.

Mr. Richard Bayly.

160. That would apply to small towns as well as large, I presume?—It would apply all over the country.

Mr. Maurice Brooks.

161. Do you know whether it has led to the establishment of drinking clubs amongst working men?—That has been attempted, but the authorities have uniformly taken steps to prevent such clubs being continued.

162. Are there any laws which would enable the magistrates to prevent the establishment of working men's drinking clubs?—Not if they were *dead plate* clubs; but invariably it has been found that these clubs have not been *dead plate* clubs, but have been got up for the benefit of the master or owner of the premises, who made the club simply a cloak for a shebeen.

163. Have there been extension steamers run in which the sale of drink and much drunkenness has taken place?—Yes; on the Clyde occasionally that is done.

164. Has that prevailed to an extent which has roused expressions of alarm on the part of the authorities?—I think that certainly has pro-

Mr. Maurice Brooks—continued.

bably been one of the most unfortunate results of this law; I think there can be no doubt that excursions have been got up on Sunday by steamers down the Clyde which have been largely shared in by persons who thought that by that means they would have facilities for getting drink which they otherwise would not have; and I am aware that there are parts on the banks of the Clyde where those people have landed, and where the residents have been annoyed by their coming down not in a very orderly condition.

165. Have there been complaints in the "Glasgow Press" of the demoralisation of a large number of people by that mode?—There have been complaints, no doubt.

Dr. Cameron.

166. You have spoken, have you not, about the Act being a comparative failure in Glasgow?—No; I think I put it in this way, that the Act had not been so vigorously enforced in Glasgow as in Edinburgh.

167. Glasgow is, I suppose you will admit, about as unfavourably situated as any town could be for observing the beneficial results of the Act, in consequence of the large body of the lower class of population, and the presence of shebeens and Sunday steamers?—Yes, that is so.

168. Have you ever seen an official return of the number of persons arrested as drunk and incapable and drunk and disorderly in the different burghs and counties of Scotland during the year ending the 30th of June 1875, distinguishing those arrested between the hours of 8 a.m. on Sunday and 8 a.m. on Monday, and those arrested during the rest of the week?—Yes, I have.

169. Are you aware that according to that return the number of arrests for drunkenness on Sunday in Glasgow, in spite of the shebeens and in spite of the Sunday steamers, was only one-eighth of the average of the number of arrests on any other day of the week?—I am not able to confirm your exact figures.

170. You do not speak from having examined those figures, or from any statistics when you admit anything as to failure?—I did not use the word "failure;" all I said was that I did not think that in Glasgow the Act has been so vigorously enforced as it has been in Edinburgh.

Mr. ANDREW REED, called in; and Examined.

Chairman.

Mr. Reed.

171. WHAT is your position in Dublin?—I am Private Secretary to the Inspector General of the Royal Irish Constabulary; I am a Barrister, and I hold the rank of First-class Sub-Inspector of Constabulary.

172. I believe you have devoted a good deal of attention to the Irish licensing laws?—Yes, I have devoted some attention to them.

173. You have heard Mr. Nicolson's evidence with regard to the law on the subject in Scotland; will you favour the Committee with a similar statement as to the Irish law?—I will, to the best of my ability. I must mention that I only received notice of being required here on Wednesday evening, therefore of course I only

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speak from memory with regard to certain parts of this extensive subject; but I will read extracts from my book on the Liquor Licensing Laws of Ireland as I go along, and explain to the best of my ability what the law in Ireland is. The Licensing Laws are of statutory origin, and the first Licensing Act passed for Ireland is the 10 & 11 of Car. 1, c. 6, which contains the cardinal provisions of the Licensing Law, as applied to Ireland even in the present time; I will read the headings of them. It contained provisions for "the supervision of the magistrates in respect to licensed houses; that licenses should not be granted, except to proper persons and for suitable premises; the annual licensing quarter sessions

*Chairman—continued.*

sessions held one month after Easter; the requirement that two justices at least should grant the licenses; the prohibition against drunkenness, gambling, and unlawful games, and harbouring of improper persons in licensed premises; the payment by each publican of house-fee (or excise) duty to the King, and of the fee on grant of license, and afterwards yearly to the clerk of the peace; and the register of licenses to be kept by the clerk of the peace." Then we come to the present period, that is, to the year 1823, and I shall cite for you the Acts which regulate the Licensing Law at present in force in Ireland. The Acts at present in force begin with the 5 Geo. 4, c. 81, which is the principal Excise Act for granting licenses in the United Kingdom, and that Act declares the rate of Excise duties to be charged on licensees; defines the Irish spirit grocer; provides that no person shall be licensed as a publican without the certificate of the magistrates; permits such licenses to be transferred upon death or removal of license-holder, and enacts an Excise regulation for signboards of licensed persons. Then the next Act is the 3 & 4 Will. 4, c. 68, which amends the Licensing Laws of Ireland, and provides that publicans' licenses are to be renewed upon the production of a certificate signed by six householders, to the good character of the applicant and orderly manner in which his house has been conducted in the past year. It regulates the manner in which licenses are to be granted at quarter sessions by the magistrates or recorder, who, in discharging this duty, are to consider three things: first, the character, conduct, and fitness of the applicant; second, the fitness or convenience of his house; and, thirdly, the number of previously licensed houses in the neighbourhood. It also provides for the entry of constables into licensed premises, and for certain offences committed by licensed persons. Then the next Act is the 6 & 7 Will. 4, c. 38, which amends the last Act, and enacts that, in addition to the six householders' certificate, a similar certificate obtained from the sub-inspector of the district should be furnished by the license holder for the renewal of his license. This certificate of the sub-inspector is now no longer required. This Act provides for the offences of tipping and gambling during prohibited hours, and of holding illegal meetings in public-houses. It also empowers the magistrates to appoint overseers for public-houses who possess in respect to them all the authority of constables. I may mention in passing that these overseers, in my experience, have never been appointed; the police do all the overseeing work. Then the next Act is the 8 & 9 Vict. c. 64, which provides that spirit grocers shall be licensed as directed in the 6 Geo. 4, c. 81, and authorizes justices, constables, and overseers to enter such houses at any time or hour at which they are kept open for the sale of spirits. Then the next Act is the 17 & 18 Vict. c. 82, which makes it lawful for a magistrate, upon a sworn information, to grant a warrant (to remain in force one month) to a constable to enter unlicensed premises to detect illicit sale of spirits. It contains other provisions requiring the applicant for a publican's license to serve notice upon the sub-inspector or superintendent of police, and empowering this official to object to the grant of the license at quarter sessions or recorder's court. It also enacts that the annual

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*Chairman—continued.*

*Mr. Reed.*

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renewal of the publican's license is not to be granted except on the production of the justice's certificate to the good character of the publican, and the orderly manner in which his house has been kept in past year.

174. As our object in this inquiry is the Licensing Law, so far as it relates to the sale of liquor on Sundays, if you could confine yourself rather to that than to the general provisions, we should be glad?—Since 1846 there have been four changes in the law with regard to the closing of public-houses on Sundays. The first Act is the 3 & 4 Will. 4, c. 68, s. 14, passed in 1833, and that provides, that on Sunday, Good Friday, Christmas Day, or any day appointed for a public Fast or Thanksgiving such houses should be closed from 2 p.m. to 11 p.m., and on week days except from 7 a.m. to 11 p.m. The next change was in the Act of 6 & 7 Will. 4, c. 38, s. 4, when the law required that public-houses should be closed on Sunday, except between 2 p.m. and 9 p.m., and should not open on Monday before 9 a.m. The next Act is the 23 & 24 Vict. c. 107, s. 43, passed in 1860, which provided that on Sunday, Good Friday, Christmas Day, and public Fast or Thanksgiving Days, public-houses should be closed except between 2 p.m. and 11 p.m., being the time limited by the 3 & 4 Will. 4, c. 68, s. 14. Then the Act of the 23 & 24 Vict. was amended by the 33 & 34 Vict. c. 94, s. 78, that is the Licensing Act of 1872, which provides that in all cities and towns where the population exceeds 5,000, on Sunday, Christmas Day, Good Friday, or any day appointed for a public Fast or Thanksgiving, the open hours should be between 2 p.m. and 9 p.m., and in all other places between 2 p.m. and 7 p.m.; that is the present law.

175. To what houses does that Act apply?—It applies to public-houses, spirit grocers, beer retailers, and what are called refreshment wine houses.

176. Do these include all the licensed houses in Ireland of every kind?—They include those houses which are under the supervision of the police. There is a certain class of houses licensed by the Excise for the sale of spirituous liquors, which do not come under the police supervision.

177. What is the law with regard to them?—There are no laws regulating the sale as regards them as far as I can see, because the Act of 1872 applies only to the sale of liquor by retail, and it includes, no doubt, beer retailers and spirit grocers.

178. Do you mean that there is a certain class of houses in Ireland licensed to sell off the premises only, which may be open all day on Sundays for sale for consumption off the premises?—Yes; under a wholesale beer dealer's license, in my opinion the trader can sell on Sunday, but there are very few of those in Ireland, and they are very respectable merchants.

179. How many of them are there in Ireland?—The wholesale beerdealers, including those who are also beer retailers, are about 915. I cannot say exactly how many wholesale beer dealers alone there are. I should fancy that there are somewhere about 550 in Ireland.

180. Under what Act do they hold their licenses?—They hold their license under the old Act of 6 Geo. 4, c. 81, and the Licensing Act of 1874, s. 8. They are now under supervision in this way, that they must obtain the magistrates'

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certificate

Mr. Reed.

Chairman—continued.

Chairman—continued.

certificate before they can get a license from the Excise.

161. That last Act merely requires that they should obtain certificates, I think?—Yes.

162. What is the smallest quantity that they can sell?—Not less than four and-a-half gallons, or in not less than two dozen repeated quart bottles at one time.

163. Then they do not sell by retail?—No, they do not. If they do sell by retail, they must take out a beer retailer's license.

164. Would persons holding beer licenses be allowed to keep open on Sundays?—No; the holders of public-house licenses, spirit grocers, and beer retailers, must all keep their houses closed on Sundays during the prohibited hours.

165. May we take it to be this, that every person holding a license for the sale of beer or spirits by retail, is subject to the provisions of the law, which only allows houses to be open on Sundays for a certain number of hours?—Exactly so.

166. Will you tell the Committee what the different classes of licenses are which come under that law?—The public-house license, the spirit grocers' license, and the beer retailers' license, these three licenses specially come under it. There is another license which is not under the supervision of the police, or, at least, to obtain such a license does not require the magistrates' certificate, and that is the theatre license, for the sale of intoxicating liquors at theatres; but it is scarcely necessary to mention that license.

167. How many licenses of that kind are held, do you know?—There are not very many theatres in Ireland. I suppose there are seven altogether in Ireland.

168. Do you know whether in any of those cases they keep open their premises for the sale of liquors, although the theatre is not open, on Sunday?—No, because they are bound to have their bar in the theatre closed up to within 30 minutes of the performance, and from 30 minutes after the performance; therefore they are not to be counted.

169. Are there not separate wine licenses too?—Yes. I should have mentioned the Refreshment House Wine License; that is in the case of refreshment houses which are licensed to sell wine by retail, for consumption on the premises, and which do not require the certificate of the magistrates.

170. We have, therefore, four classes, public-houses, spirit grocers, beer retailers, and refreshment houses licensed to sell wine; is there any other class?—There are certain licenses authorizing sale for consumption off the premises which do not require the magistrates' certificate, which in my opinion also come under the law limiting the hours of sale on Sunday. There is the Wine Dealers' Foreign Wine License for the sale of wine in any quantity, and there is the Shopkeepers' Retail Foreign Wine License. There is also the Sweets Retail License, for the sale of sweets, that is home-made wines. There is another spirit license which scarcely requires notice, what is called the Methylated Spirit License, for the sale of spirits of wine which has been rendered unfit for use as a beverage, by being mixed with wood naphtha. Then there is the Packet Boat License granted for the sale of excisable liquors and tobacco to

passengers on board a packet vessel, but which does not come under the law.

171. Those four licenses which you have last named, the Wine Dealers and Shopkeepers' Foreign Wine License, the Sweets Retail License, and the Packet-boat License are all Excise licenses, and granted without the magistrates' certificate?—Yes. There are only four principal licenses which require the magistrates' certificate; those are the Public-house License, the Spirit Grocers' License, the Beer Retailers' License, and the Wholesale Beer Dealers' License. The Refreshment House Wine License does not require the magistrates' certificate; but there is provision made whereby their consent is obtained indirectly. When such a license is applied for, the magistrates receive a notice from the Excise, and if they do not enter their consent within a certain period the license is granted, so that the tacit consent of the magistrates is obtained for that license.

172. Can you tell the Committee how many licensed houses of each of those classes exist in Ireland?—I can tell you the number of houses which are licensed under the certificate of the magistrates. The number of publicans in Ireland is 16,576.

173. Will you look at the last Report of the Commissioners of Inland Revenue, and see if you can inform the Committee how many licenses there are under each head named there?—This Report is very complex as applied to Ireland; and it requires a little consideration to thoroughly sift the statistics, because the headings are mixed up with England and Scotland, where the licensing law is different. However, I come to this conclusion, making some allowances for the peculiarity of Ireland with respect to this return, that the number of publicans in Ireland is 16,576. The number of spirit grocers is entered at 641.

174. How do you arrive at those figures with regard to the number of publicans; what is the heading in that return under which those figures, 16,576, appear?—The heading is "Retailers of Beer." They are called publicans, but from them must be deducted beer retailers, who are not publicans; at least I was informed by the Collector of Excise in Dublin, whom I had time to consult before coming over here, for I could not understand it well myself, that the figures 16,910 evidently include, in his opinion, beer retailers who are not publicans, and deducting 364, which is about the number of beer retailers, from the 16,910, the figures here, I arrive at the figure 16,576.

175. How many spirit grocers' licenses are there?—The spirit grocers, according to the Inland Revenue returns, are 641 all over Ireland, and there are 43 wine refreshment houses for consumption on the premises.

176. How many beer retailers are there?—Three hundred and sixty-four.

177. The next class is that of wine dealers holding foreign wine licenses; how many are there of these?—There are 155 in this Return. Of course they do not include publicans; they are solely wine dealers authorized for consumption off the premises.

178. How many shopkeepers holding foreign wine retail licenses are there?—There are 287.

179. I dare say these last five class of licenses are very few in number, can you tell us how many



Chairman—continued.

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many altogether they amount to?—They amount to 1,482.

200. How many shopkeepers?—The 10,374 would include all the publicans' licenses.

201. I think we may take it, may we not, that the important classes that we really have to deal with are, first of all, the publicans; secondly, at a greater distance the spirit grocers; and thirdly, the beer retailers?—A bit, and you might add the wine refreshment-houses too, which are very few in number.

202. Will you look at this Return, which was presented on a motion of Mr. Finn, in 1872; the figures, of course, are not identical with those we have had quoted from the last Report of the Inland Revenue Commissioners, but they tally very nearly with them; they do not show any very great difference since the date of the Return?—The Return that I gave is made up to the 31st of March 1874; this Return is made up to the 31st of March 1875; it shows that the number of public-houses licensed under magistrates' certificates is 16,500. In the Dublin Metropolitan District, at the present time, there are 1,000 publicans, 280 spirit grocers, 134 beer retailers, and 37 wine-refreshment houses. Within the municipal boundary of the City of Dublin there are 761 publicans, 241 spirit grocers, 91 beer retailers, and 32 wine-refreshment houses.

203. Will you obtain for us similar figures as to Belfast, Cork, Waterford, and Limerick?—Yes.

204. Can you tell us, out of the total number of public-houses which you have given, how many hold six-day licenses?—I cannot.

205. Can you tell us, out of the number which you have given for the Dublin Metropolitan Police District, or Dublin City, how many hold six-day licenses?—No, I cannot.

206. Do you know whether any spirit grocers or beer retailers hold six-day licenses?—The six-day license applied only to publicans. The publicans' licenses are in four classes, the ordinary or seven-day license, the six-day license, the early closing license, and the six-day/early closing license.

207. Will you obtain for the Committee a statement showing how many, out of the total number of publicans, hold those different classes of licenses, both in the whole country and in the five cities named?—Yes, I will furnish it to the Committee.

208. Will you inform the Committee what is the payment required for each of those different classes of licenses?—That depends altogether upon what drinks the publican sells. If he sells beer solely, the yearly charge depends upon the rating of his house; and should the rating of the house be under 20*l.* a year, the charge is 1*l.* 2*s.*; that is by a publican who sells nothing but beer. Then, if he sells spirits, he pays 2*l.* 4*s.* 1*d.* additional.

209. Can you tell us how many, out of the 16,574 publicans, hold beer licenses only?—That I could not say. They are very few in number that sell beer solely. They almost always obtain a license to sell spirits also.

210. Did I understand you rightly, that those publicans who sell beer only are a separate class from the beer retailers, properly so called?—Yes; to set up a public-house the magistrates' certificate (obtained at Quarter Sessions) must first be obtained. In that certificate authority

may be granted for the sale of beer only, or for the sale of beer and spirits (the beer license is the fundamental license for a public-house; the term "also-beer" is deriv'd from it). Upon the production of the certificate the Excise authorities grant a license for the sale of beer only, or for the sale of beer and spirits in accordance with the tenor of the certificate.

211. But persons obtaining a beer license, whether they proceed to sell spirits or not, are all included under your term "publicans"? they are not what you call beer retailers?—Certainly not. What I mean by a publican is a person who is empowered to sell beer, or beer and spirits for consumption on the premises.

212. Whether it is beer only, or spirits?—A publican cannot take out a license to sell spirits unless he has taken out a license to sell beer; but he may take out a license to sell beer only.

213. Are those beer retailers then simply licensed to sell liquor for consumption off the premises?—Yes, the beer retailers simply. The public-house license includes the ordinary seven-day license, the six-day license, the early closing license and the six-day and early closing license both combined. The ordinary public-house license is for the sale of an unlimited quantity of beer and other intoxicating liquors included in the license, for consumption on or off the premises. A publican may vend it for sale off the premises, or he may have it consumed on the premises; and the publican is the only licensed trader in Ireland who can have the consumption of liquor on his premises, except the wine refreshment house trader; they are the only two in fact. Of course I except the theatre license, and the pocket-boat license.

214. The publican's license always gives power to consume on the premises, does it not?—Yes; and the wine-refreshment house license gives power to consume wine on the premises; those are the only two licenses that do.

215. There is no such thing in Ireland as the difference of which Mr. Nicolson has told us in Scotland between the inn and hotel keeper's license and the public-house license?—None whatever; they are all public-houses. An hotel keeper must obtain a publican's license to sell liquor on his premises. Then there is the spirit grocer's license, which is granted to traders selling tea, cocoa, chocolate, or pepper, for the sale of spirits in any quantity less than two quarts at one time for consumption off the premises. Then the beer retailer's license is for the sale of beer, which includes ale and porter in any quantity less than four and a-half gallons, or less than two dozen repeated quart bottles at one time for consumption off the premises; and the next is the wholesale beer dealer's license for the sale of beer in casks containing less than four and a-half gallons, or in not less than two dozen repeated quart bottles at one time for consumption off the premises. All these four which I have named, that is the public-house license, the spirit grocer's license, the beer retailer's license, and the wholesale beer dealer's license, require the magistrates' certificate.

216. You told us what was the charge for a publican's license; what is the charge for a six-day publican's license?—That is to sell beer simply, 18*s.* 10*d.*, but if he sells spirits the charge is 1*l.* 17*s.* 9*d.* additional; that applies to a house rated under 10*l.* in the second case, and

Mr. Reed.

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and under 20 l. in the first; that is to say, where he sells beer the rating is under 20 l. and where he sells spirits the rating begins at under 10 l.; and then there are the different grades under 20 l., under 25 l., under 30 l., and under 40 l., and under 50 l. and upwards.

Mr. Lee.

217. What is done with the 20 l. rating corresponding with the 18 s. 10 d.?—There are only two rating classes for the sale of beer solely, namely, under 20 l., and 20 l. or upwards; whereas there are several ratings for the spirit license.

218. What is it, taking the same rating for both classes?—The ratings for both do not tally.

Chairman.

219. Would you go through those seven-day licenses and the six-day licenses in the different classes, telling us, with regard to each class, what the charge is for the license; in the seven day first, and then the six day, on the same rating?—I will take the publicans who sell beer who are under 20 l. ratings; the charge for the ordinary license, that is the seven-day license, is 1 l. 2s.; for the six-day license, 18s. 10d.; for a publican selling spirits, where the rating is under 20 l., the charge is 4 l. 8s. 2d. for the ordinary license, and for the six-day license, 3 l. 15s. 7d.; for the spirit grocer's license, which is merely the ordinary license (the six-day license only applies to publicans), where the rating is under 25 l., which is the first rating of a spirit grocer, the charge is 9 l. 18s. 5d. Then the beer retailers, who sell for consumption off the premises, have no rating, and the charge for their ordinary license is 1 l. 2s. Then the next is the wholesale beer dealers, and the charge for the ordinary license is 3 l. 5s. 1d. Then for the wine retailers under the Refreshment House Act, to be consumed on the premises, the first rating for them is under 30 l., and the charge for them is 2 l. 4s. 1d. for the ordinary license; the six-day closing provision does not apply to the wine-refreshment houses, although there is consumption on the premises. I should mention, with regard to the wine retailers and refreshment houses, that there is an abatement of their duty where the house is not open after 10 p.m.; under a special Act of the 24 & 25 Vict. c. 91, s. 9, there is an abatement to 1 l. 16s. 9d.; the wine-refreshment houses are under a separate Act altogether, and are not under the Public-houses Acts; they have an Act for themselves, namely, the 23 & 24 Vict. c. 107.

220. What is the charge for a publican who takes both an early closing and a six-day license?—The charge for a beer publican solely, under 20 l. rating, is 15s. 8d., and for a spirit publican rated from 10 l. and 20 l., the charge is 3 l. 2s. 11d.

Mr. Martin.

221. As I understand it, a publican's ordinary license is for seven days, and when it is either one of the classes, namely, an early closing or a six-day license, you take off one-seventh, and when it is both those two classes you take off two-sevenths?—Yes, that is so.

Chairman.

222. You have informed the Committee that those houses in Ireland which you have specified

Chairman—continued.

are closed on Sundays, except between two and seven in the country, and two and nine in the towns; in the hours of closing is there any exemption in favour of lodgers and *board & ale* travellers?—Yes, there is; that is of course with regard to the publicans; it can only apply to a public-house license.

223. Can you tell us what it is?—That they are exempt from the provisions of the closing hours in respect to lodgers and *board & ale* travellers, where the latter come under the definition, or at least the attempted definition, which is given of a *board & ale* traveller.

224. What is the definition of a *board & ale* traveller in the Irish law?—The same as in the English law; the provisions are the same. In order to be a *board & ale* traveller, the house at which you apply for liquor must be three miles distant from the house at which you resided the previous night, or slept the previous night; that is a part of the definition. If a man walks that distance or beyond it, merely for the object of drinking, he cannot be considered a *board & ale* traveller. The distinction lies in this, the *board & ale* traveller drinks to enable him to travel, whereas the other travels to obtain drink.

225. Can you tell us the exact words of the Act upon the subject?—"A person for the purposes of this Act and the principal Act shall not be deemed to be a *board & ale* traveller unless the place where he lodged during the preceding night is at least three miles distant from the place where he demands to be supplied with liquor, such distance to be calculated by the nearest public thoroughfare." These are the words of the Licensing Act of 1874, section 28, which is taken from the English Act.

226. Can a person, alleging himself to be a *board & ale* traveller, obtain drink for consumption off the premises at a spirit grocer's or a beer retailer during the hours of closing?—No; he can obtain it only at a public-house.

227. I do not know whether you heard Mr. Nicholson's evidence as to the requirements under the Scotch law, by which certain licensed premises are obliged only to have one public entrance; is there any similar provision in the Irish law?—There is no statutory provision of the kind; in fact, it is not required in Ireland. In my experience the magistrates in considering the element of fitness of the premises, always consider it right that they should have a yard and a back door for the convenience of customers. I have always found them inquire into that particularly.

228. Is there any power which would enable the magistrates to prevent them from having a private entrance to their house?—The magistrates, in granting a certificate to enable a man to open a public-house in the first instance, are vested with an absolute discretion, and if they wished to make that a condition, they might do so, but the law would not make it binding on the publican once he received his license; it would therefore be useless.

229. Supposing a man, having obtained a certificate in the first instance for premises only having one entrance, and afterwards, for reasons of his own, made a private entrance to his house in addition to the original one, could the magistrates make any order by way of revoking their certificate?—No; there is a provision in the

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Licensing Acts prohibiting any internal communication between licensed premises and unlicensed premises used for public entertainment; but there is nothing to prevent a publican from having as many entrances as he likes to his public-house. Certainly there is no statutory provision to prevent him, and I do not think that the magistrates ever consider that question.

240. Not with reference to the facilities which such a provision might afford for better supervision by the police?—I do not think that they ever look upon it in that aspect, nor do I think that it is ever intended as a rule to evade the law in that respect. I mean, that the fact of having more than one entrance into a public-house, as a rule, I do not think is ever considered by the magistrates as evidence of an intention to evade the law. There might be good reasons for a publican to have a private entrance for his family. He would not like to have his family coming in by the public-house door, and he might have a private entrance for his family. I think it would be very hard if the magistrates obliged his family to walk in through the shop, and did not give him the liberty of having a private entrance for his family.

241. In the case of spirit grocers, do you know whether it is at all customary to have a private entrance?—It is very customary. There is no law prohibiting it.

Mr. Lee.

242. What is the clause of the 3rd & 4th of William the Fourth, chapter 98, which you mentioned, as giving the quarter sessions the power of inquiring into the suitability of the premises?—It is Section 4. There are three clauses there considered, and a license may be refused upon the ground of (1) character, misconduct, or unfitness of the applicant; (2) unfitness or inconvenience of the house or place; or (3) the number of previously licensed places in the neighbourhood.

243. In your idea, that inquiry as to the unfitness or inconvenience of the house or place refers rather to the convenience of the frequenters of the house than to any supervision by the police?—Yes, with regard to the unfitness of the house, the magistrates would not license a poor miserable cabin. They would like to have a respectable house properly furnished, for the convenience of those who frequented the house.

244. Solely for the convenience of the customers?—Yes, for the convenience of the customers principally. They do not consider the private convenience of the publican.

245. See the facilities for inspection?—I do not think so. In my experience they certainly never look into the matter with regard to the number of doors that a house may have, unless their attention was specially called to it, and where they might be informed that it was the intention to escape supervision. Such an inquiry would, however, be perfectly useless as the law stands, as when once the license is granted the trader may alter his premises in any way he pleases; and such alteration would form no legal ground for refusing his annual renewal certificate.

246. Have you ever known such cases?—I have not known such cases.

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Mr. Morris.

247. What provision is made with regard to exemption orders in the police district of Dublin metropolis?—There is a general provision in the Act of 1854, the 17th section, which empowers the Commissioners of Police to grant an exemption order in the Dublin metropolis. I do not know how far it is exercised. There is a gentleman who will come after me who will be able to tell you. In other places the magistrates, under similar circumstances, are empowered to grant such orders, but I do not think that the provision is very extensively made use of.

248. Is it for the accumulation of any considerable number of persons attending any public market or fair, or following any lawful calling?—Yes, under those restrictions.

Mr. Sullivan.

249. As to those doors of entrance, you said you thought that it would be very hard to compel a publican to have his family go through the shop; how does it follow that that would be necessary at all, supposing that the shop had but one entrance?—That is quite possible, certainly, if there was such an arrangement; but generally it is the practice for all trades, in most cases where they are not very extensive, to have a private entrance through the shop into the house.

250. You treated it as if a trader could not possibly get into the dwelling unless through the shop?—I did not put it in that light. I was viewing it in the light of the ordinary circumstances which prevail in Ireland; and certainly the rule is that ordinary trades, unless they are very affluent, no matter what trade they engage in, generally have a private entrance from their shop to their dwelling-house.

251. But the question which the Right Honorable Chairman put to you was with regard to whether that does not give facilities for breaches of the law? as a matter of fact do you not read in the newspapers from time to time that the police find persons in the private rooms of these people during forbidden hours, they evidently having gone through that private door into the private room?—Yes, but those private rooms are part of the premises.

252. Does not that show the evil pointed at by the question of the Right Honorable Chairman, as to having a private entrance from the shop into the private house?—Viewing it in that light, certainly it would ensure better supervision to have no communication between the shop and private apartments. I do not think I said anything contrary to that; at least, I did not intend to convey such a meaning. It would certainly ensure more strict supervision. There is no question at all about that.

Chairman.

243. I asked you some questions as to the number of six-day and early closing licenses taken out in Ireland. I think, at page xii. of the Report of the Commissioners of Inland Revenue, you will see a statement upon that point. They divide them under three heads, retailers of beer, retailers of spirits, and retailers of wine, but I think they all appear to be under the class of publicans; will you state the figures?—The publicans, retailers of beer, holding six-day licenses, are 1,435. The retailers of spirits, publicans, men-

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Chairman—continued.

tioned here must be retailers of beer, because a publican cannot retail spirits unless he has a beer license; and therefore I consider this number including also all the spirit publicans holding the six-day license. The retailers of beer, publicans holding six-day licenses, 1,433; early closing, 111; six-day and early closing, 785; total, 2,329. Publicans, retailers of spirits, six-day, 1,425; early closing, 186; six-day and early closing, 763; total, 2,365. Publicans, re-

Chairman—continued.

tailers of wine, six-day, 1,013; early closing, 73; six-day and early closing, 596; total, 1,682.

244. Will you just give the totals of all the publicans, whether under the hands of beer retailers, spirit retailers, or wine retailers, who take out six-day, or six-day and early-closing licenses, excluding simply the early-closing ones?—There are 3,881 six-day, and 2,118 six-day and early closing.

Captain GEORGE TALBOT, called in; and Examined.

Chairman.

Chairman—continued.

Captain  
Talbot.

245. I BELIEVE you are Assistant Commissioner of the Dublin Metropolitan Police?—I am.

246. First of all, will you state to the Committee any facts, within your knowledge, with regard to the use or abuse of public-houses in Dublin on Sundays under the present law?—Public-houses in Dublin, that is to say, all houses in which intoxicating liquor is sold, such as public houses, spirit grocers, and beer-houses, are greatly frequented on Sundays.

247. Can you give the Committee any figures on that point?—I can give the Committee some figures that were taken when the parties were enumerated by the police as entering those houses: some that were taken, I think it was, 18 months ago, and others that were partially taken on two Sundays ago. I will begin with those that were taken a year and a-half ago. There were then 1,019 public-houses, and of this number 93 were closed, and 926 open for business on that Sunday.

248. Do your figures relate to Dublin proper, or to the metropolitan police district?—To the metropolitan police district, including Kingstown, Rathinacree, Terenure, Kilmalnam, Donnybrook, Dalkey, and part of Killybeg.

249. Will you state shortly to the Committee the area of the district and the population?—Some time ago I had it calculated, and the area amounted to 34 square miles, as near as I could get at it, and the population, I think, of the whole metropolitan district, according to the Census of 1871, was 337,389, and this return which I hold in my hand gives it also by the metropolitan division of police.

250. Have you any objection to hand in that return?—I shall leave it to your discretion whether it should be put in evidence. I only have it as a memorandum of my own. We were only able, on that particular Sunday, to watch 210 of those houses. On subsequent Sundays a further enumeration took place, which I shall give. On Sunday, the 9th of January, 1876, 46,257 persons visited those 210 houses between the hours of 2 and 8.30 p.m., which were the hours which we were ordered to watch them at. Then the total number of houses in the city were 1,019. Of this number 93 were closed, leaving 926 open for business, and the few remaining houses which make up the difference between the 926 and the 1,019 are situated in back streets, out of the way, in Dublin, which we had not men sufficient to watch.

251. On that day you only watched 210?—Yes.

252. Did you watch whether they opened on

any other Sunday?—At a subsequent period we did, on the 15th of April 1876. The enumeration of the public-houses noted was made on two consecutive Sundays, namely, the 2nd of April and the 9th of April, and 80,374 persons were reported to have visited 623 houses.

253. Do you mean that you watched a certain number of those houses on the 2nd of April, and the remainder on the 9th?—Yes, dividing them into two numbers.

254. The total number of houses watched on those two days was 623?—Yes, which had not been previously watched, and they were visited by 80,374 persons.

255. That total does not include spirit grocers and retailers of beer at all, does it?—No, it only alludes to the public-houses in the district.

256. There was no census of the kind made of the visits to the spirit grocers and the retail beer dealers?—I think not on that occasion. Perhaps I may be allowed to remark that it was very difficult to make the enumeration, because I have no doubt that a number of people went into the same house two, three, and four times, and went in and visited other houses; so that is a mere approximate number.

257. I was going to ask you whether you had formed any opinion as to how far the figures which you have given us represent separate persons?—I should say that the number nearer the mark would be about one-half of that from the number of times that they go into the houses.

258. That of course is a mere estimate?—Yes, a mere guess.

259. Will you now refer to the subsequent enumeration?—The subsequent enumeration which was taken the other day, was one of a different kind. It shows the number that visited the different houses at different hours during the day on Sunday; and that I can lay before the Committee.

260. You only watched 210 and 623 houses?—Yes.

261. What becomes of the balance?—I mentioned that they are so situated in back streets that we could not get at them in fact.

262. Are the houses that were not watched, those which do comparatively little business?—Yes, comparatively little business. Our orders were to watch the principal public-houses, those which do the most business. There are favourite public-houses: one does, perhaps, as much as five others would do. This return will give you a better idea of it. It is a return showing the number of persons who entered 50 of the principal public houses within the municipal boundary of Dublin, from 2 to 9 p.m. on Sunday the 18th of

*Chairman*—continued.

of February 1877. From 2 to 3 p.m., there were 7,397 in the 30 houses; from 3 to 4, there were 4,484; from 4 to 5, there were 4,356; from 5 to 6, there were 4,828; from 6 to 7, there were 4,306; from 7 to 8, there were 4,444; from 8 to 9, there were 4,804; and the gross total is 34,680.

263. Then again, I suppose, you could not give us any idea of how many separate persons that represented?—I should give you the same answer as I did before, that some persons may be calculated to have gone into one house between three and four times, or to another house.

264. Can you give the Committee any facts bearing upon the use of public-houses outside the municipal limits of Dublin, rather by excursionists than by people living on the spot, for instance, the Strawberry Beds and places of that kind?—The Strawberry Beds happen to be outside the metropolitan district, but I am aware that it is greatly frequented. There are large metropolitan rural districts, such as Kingstown, Dalkey, Terenure, and Rombown, all of which are greatly frequented by the citizens, and particularly the Phoenix Park, where there are two public-houses.

265. Are they inside the park?—Half inside and half outside; there is no entry to them from the park, which is a very great inconvenience, to many people.

266. Can you tell us anything noted by the police as to the class of people using these public-houses to which you have alluded in the city in the first place?—The people who use the public-houses in the city, I should say, are the middle and lower class, if I may use the expression. I may say the lower middle class; the upper middle class generally go on excursions.

267. Do those who take excursions to the places you have named belong to rather a higher class than those who frequent public-houses in the city itself?—Certainly; I think they are more respectable. In fact, in the great majority of cases the Dublin respectable citizen takes his family for a drive; he leaves the city on a fine Sunday, and goes out into the rural districts of Dublin on cars and other vehicles.

268. Between what hours of the day, taking this time of the year for instance, is most of that trade done outside the limits of the city?—I think from 2 o'clock onwards, immediately after Divine Service is closed. Both in the Roman Catholic and other churches they generally come out about half-past one, and sometimes at one, and immediately after their dinner between 2 and 3 o'clock, they go out into the country districts.

269. Is there much business done after dark in those houses?—I do not think there is much Sunday trading by the legitimate houses, but there is a good deal in the unlicensed ones.

270. Supposing, instead of being open as at present to 7 o'clock outside the limits of the Dublin municipality, the houses were closed two hours earlier, would the hours between 2 and 5 include most of the excursion traffic to the country parts which you have alluded to?—In my opinion 5 o'clock would be too early, certainly during the summer months, but I should feel very much disposed to wish them closed at 7 o'clock in the city and within the municipal boundary.

271. Will you confine your attention at present to excursionists?—I think 5 o'clock would be too early for the excursionists in the midst of summer.

*Chairman*—continued.

It is just the time when most of the are out, from that until 7 or 8 o'clock.

272. You have referred to illicit drinking in unlicensed houses on Sunday; do you consider that there is much of that at the present time?—I do; I think we have known to the police about 117 unlicensed houses.

273. What steps do you take to put the law in force against them?—Every step in our power; but the law is not sufficient to enable us to put them down. We must have a warrant for the entry, and that warrant must be grounded upon information, and the moment it is known that the police are coming, the house is closed against us. The liquor is not what we call exposed for sale, but is kept in a back room. In a back yard on one premises lately we have detected as much as nearly a van-load of bottled beer. Then the house is tenanted by different parties, who all pay rent on a separate day. We cannot find the owner of this liquor amongst them all; it is generally consumed in a hall which is common property, and when the police are coming it is all thrown aside; and when we do detect them, and they are brought before the magistrates, the penalty can only be 2*l.*, forasmuch as it was not exposed for sale. Then the profits are so large upon the sale of this liquor that they can afford to pay the 2*l.* every week. Sometimes they adopt another course; they never appear upon the summons, and we find them some months afterwards crop up in some other part of the city, in some little general vegetable shop or turf house. The sign in the window is generally a piece of turf, or an oil bottle, or something of that nature, just to attract.

274. I suppose these are houses of a class which the Recorder would decline to license?—The Recorder would not grant a license at all—they are generally the low beer dealer class.

275. And possibly some of them are houses from which the licenses have been taken away?—We have suppressed a great many beer licenses lately, and I have no doubt that one-half of those persons have gone into this illicit trade at places that are unlicensed.

276. Is that illicit business which you speak of carried on during the whole of Sunday?—Yes, I have no doubt it is; and in one instance it is on record, where the shop was situated in Thomastown, close to the Roman Catholic church of St. John's—a very fine new church, with a Protestant church opposite to it—great crowds would go into the Roman Catholic Church on Sunday, and as they came out again, people were noticed for a long time slipping into this house one by one, and by twos and threes. At last the police noticed it and effected an entry; and it was in this house, I think, that nearly 30 or 40 dozen bottles of beer were found in a room towards the back premises, as I have described.

277. That illicit trade in such houses is carried on not only during the hours of closing on Sundays, but on all the rest of the day, and on other days as well, is it not?—Yes, on other days as well, and after the closing hours at night.

278. But do you think that there is more illicit drinking on Sundays, for instance, at the present time, before the hour of 2 p.m. than after it?—I am sure there is.

279. Where?—In these illicit houses.

280. Do you think that, the public-houses being

*Captain Toibin.*

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Chairman—continued.

being closed, people go to these illicit houses who would not otherwise go there?—Quite so.

281. To any great extent?—To a very large extent, and I attribute it to the late hour of keeping open on Saturday night. A man drinks until 11 o'clock, and he must have more; and then he goes to what we call a night house, that is, an illicit house, and being rather weak on Sunday morning, he follows the same course. I am speaking now of the habitual drunkards that we deal with.

282. But beyond that class, do you think that persons who could not be called habitual drunkards practice illicit drinking, or, rather, drinking in unlicensed houses, on Sundays?—No, because I think it is only the lower order entirely that frequent those illicit houses.

283. You do not think that the closing of the licensed houses before 2 in the afternoon drives persons who are not what you would call habitual drunkards to other places to get drink?—I do not think so. If I understand the question rightly, it is whether the closing of ale-houses at 2 o'clock is not the cause of respectable persons drinking in such places. I do not think so. I do not think that they drink before 2 o'clock, but they always want a glass of beer at 2 o'clock with their dinner, and they constantly send out for it to the public-houses.

284. That, perhaps, might account for the great increase of the numbers visiting 50 public-houses, which were noticed by the police, between 2 and 3, as compared with between any other two hours in the day?—Just so; that is, when there is what you may call a rush for their glass of beer or whiskey, or whatever it may be. I forgot to mention another great evil which the unlicensed house has, that the liquors obtained at those houses are of the worst description, and adulterated to a very large extent.

285. Have you reason to suppose that there is much or any illicit drinking in licensed houses in Dublin on Sundays before 2 p.m.?—There is some, but as a rule I think the publicans are a very respectable class, and some of them do not open at all on Sunday.

286. Do you mean publicans holding seven-day licenses?—That I cannot speak of, but as a rule they do not open on Sunday before the legal hours.

287. Have you figures which you could give as upon this point?—No, I have no figures which will show the number of six-day licenses. I have of the seven-day licenses, which amount to 1,019, as I have stated already.

288. Are those the total number of seven-day licenses?—Yes.

289. Can you give us any facts as to the arrests for drunkenness in Dublin by the police on Sundays and on other days?—Yes, I can give you a return which I caused to be taken for the last three months, that is for the months of November, December, and January, for the metropolitan police district. They were taken in this way. The arrests on the Saturday were taken from 3 to 12 p.m., and the Sunday was taken from 5 to 12 p.m., and the Thursday was taken during the whole hours of business from 7 a.m. to 12 p.m.

290. Why did you take the whole hours of business on Thursdays, and a part of the hours of business on Saturdays, and something a good deal beyond the hours of business on Sundays?

Chairman—continued.

—Those are the orders that we received; but I suppose it was that Thursday was a fair average working day in the middle of the week to compare the number of drunkards during the whole hours of that day with the whole hours on Sunday and the partial hours on Saturday.

291. Do you know why the partial hours were taken only on Saturday?—Because probably the workmen are paid their wages on Saturdays at 3 o'clock, and then they begin to drink; that is the probable reason. I suppose that Sir Henry Lake thought it right to take those hours.

292. To take the same hours on Saturdays as on Sundays?—Yes.

293. But considerably longer hours on Thursdays?—Yes, on Thursdays the whole time from 7 a.m. to 12 p.m.

294. You took 17 hours on Thursday, and nine hours only on the other two days?—Yes; on November the 4th, on Saturday, there were 75 arrests; on Sunday 32, and on Thursday 35. On the 11th of November, on Saturday, there were 72 arrests; on Sunday, 16, and on Thursday, 31. On November the 18th, there were 63 on Saturday; on Sunday, 24, and on Thursday, 28. On November the 25th, there were 80 on Saturday, on Sunday, 29, and on Thursday, 50. On November the 30th, being a Thursday, there were only 44. On December the 2nd, on Saturday, there were 75; on Sunday there were 24, and on Thursday, 30. On December the 9th, Saturday, there were 82. On December the 10th, Sunday, 22. On December the 14th, Thursday, 35. On December the 16th, Saturday, there were 87. On the 17th of December, Sunday, 31. On the 21st of December, Thursday, 35. On the 23rd of December, Saturday, there were 78. On the 24th, Sunday, 20. On the 25th of December, Thursday, 46. On the 30th of December, Saturday, 44; and on Sunday, the 31st of December, 15. Then we come to January. On Thursday, January the 4th, there were 28 arrests; on January the 6th, Saturday, 55; and on Sunday the 7th, 19. On January the 11th, Thursday, 45; on January the 15th, Saturday, 56; and on Sunday the 14th, 15. On Thursday the 18th January, 34; on January the 20th, Saturday, 79; and on the 21st, Sunday, 33. On January the 23rd, Thursday, 32. On January the 28th, Saturday, 71; and on Sunday, the 28th of January, 25. There are 17 stations in which charges are taken throughout the metropolis district, and on the Sunday the number would generally give one person and a-half to every station, not quite two.

295. The arrests that you have stated were made I understand between the hours of three in the afternoon and 12 o'clock on Sundays?—Yes.

296. You have no figures as to the arrests before three in the afternoon?—I have no figures as to that, but I have made myself acquainted by examining the station books and otherwise, and can state that the greater number of persons are arrested from 7 till 9 in the evening, or it might be from half-past 6 till 9.

297. At what hours do the public-houses close now on Saturdays in Dublin?—At 11 o'clock.

298. Is the whole of Dublin?—No; in the population is under 5,000.

299. Is that both in the case of Saturday and Sunday there is a considerable margin beyond the

*Chairman*.—continued.

the hours of opening public-houses. The public-houses on Saturdays close at 11 and at 10, and on Sundays at 9 and at 7, but the arrests stated by you in both cases extend beyond the hours of opening?—Yes, up to 12 o'clock at night, when a man comes out of a public-house, and we find him on the street drunk.

*Mr. Melhuish*.

300. Were those all arrests for drunkenness?—Yes.

*Chairman*.

301. That includes drunk and disorderly, I presume?—Yes, drunk and disorderly, or helplessly drunk or incapable of taking care of themselves.

302. What conclusion do you draw from those figures?—That I should strongly recommend the closing of public-houses on Saturday night at an earlier hour.

303. Do you think, then, that the difference which appears between the number of arrests on Saturday afternoon and on Sunday afternoon is

*Chairman*.—continued.

due to the public-houses being closed earlier on Sundays than they are on Saturdays?—We find, as a rule, that the earlier you close the public-houses the quieter the street is, and the more they go home. I think if we could induce them to go home at 9 o'clock on Saturday night they would not require to drink so much and go into other houses to obtain liquor afterwards.

304. Supposing you were to carry that view further; you consider that the arrests are diminished by shortening the hours; what do you think would happen if, instead of the hours being shortened, as you suggest, the houses were totally closed, as is proposed by clause 2?—It is a very difficult thing to form an opinion upon. I am very much opposed to the total closing of public-houses.

305. I am asking you the question with regard to the arrests for drunkenness?—If the public-houses were closed you would have, I will not say quite so many, but I think you would have a great number of arrests; it would not diminish the number materially. I think if a man wants liquor he will be sure to get it.

*Captain Toller*.

25 February 1877.

Tuesday, 27th February 1877.

MEMBERS PRESENT:

Sir Michael Hicks Beach.  
Mr. Maurice Brookes.  
Mr. Bruce.  
Dr. Cameron.  
Colonel Cole.  
Mr. Len Hamilton.  
Mr. William Johnston.  
Mr. Law.

Mr. Charles Lewis.  
Mr. Marten.  
Mr. Malden.  
Mr. Matholland.  
Mr. Murphy.  
Mr. O'Shaughnessy.  
Mr. Richard Smyth.  
Mr. Sullivan.

THE RIGHT HONOURABLE SIR MICHAEL HICKS BEACH, BART., IN THE CHAIR.

Captain GEORGE TALBOT, called in; and further Examined.

Chairman.

Captain  
Talbot.  
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306. HAVE you a statement now with you of the number of six-days' licences, and early closing licences in the Dublin Metropolitan Police District?—There are 63 six-day licences and five or six six-days with early closing.

307. As against a total number of how many?—One thousand and nineteen; but that number has been diminished, I think, by about 10, which makes about 1,009 public-houses.

308. In your last answer on Friday I see you conclude with the statement that if a man wanted liquor he would be sure to get it; what, in your opinion, would be the result of total closing on Sunday in Dublin, regarding it from that point of view?—As I have already stated, I think that it would be the means of a number of unlicensed houses springing up.

309. Do you think that persons of that class would be driven to houses of that description, and would there be any other evil resulting?—There would be this evil besides, that in that class of house they practice adulteration to a great extent, and the spirit sold there would be of a very inferior description. We find that numbers of people who come out of unlicensed houses are extremely violent, and I think that it would have the effect of making them more so than the pure spirit would have which they obtain in the legitimate houses.

310. Do you think that the total closing would cause inconvenience to respectable persons in Dublin?—I have no doubt of it.

311. What would you recommend should be done in the matter; you have already recommended, as I understand from your evidence, the closing of public-houses on Saturday night at 9 o'clock; would you make any further recommendation?—I would be willing to close the houses at an earlier hour on Sunday, I should say 8 o'clock; but it has been suggested to me that that is the hour at which parties belonging to the Established Church come out of evening prayers, and I would have no objection to close them earlier if there was any material consideration, either at 7 or 8 o'clock.

312. Then the hours of opening on Sunday

Chairman—continued.

that you recommend in Dublin are from 2 to 7 o'clock?—From 2 to 7 or from 2 to 8; I do not attach much importance to the one hour; I only say that I prefer 8 o'clock because numbers come from the country on a summer evening at 8 o'clock, and I think that it would be very hard if every house was closed to them to obtain a glass of beer.

313. Your recommendation to close the houses on Saturday night at 9 o'clock is based, as I understand, not only on the drunkenness which goes on at that time, but you think that it is continued into Sunday on account of the houses being kept open late on Saturday night?—I am satisfied of it. I think that a man, as I have stated in my former evidence, will seek drink in an unlicensed house, and he will follow that craving on a Sunday morning, as it were, to keep the steam up.

314. You think that he would not do so if the licensed houses were closed two hours earlier on Saturday night?—My endeavour would be to wear him away from the drink on the Saturday night. The market is certainly carried on to a late hour, but I do not see why he would not have time enough to complete his marketing by 9 o'clock, and I think that the establishments in Dublin would pay their servants earlier than it is said they do if they knew that they would have to complete their marketing by 9 o'clock.

315. How late does the marketing go on in Dublin on Saturday night?—In my own neighbourhood in the Pembroke-road, I have constantly seen it going on at 8 and 9, and even after 9 o'clock.

316. Does it go on as late as 11?—I believe it does. I cannot speak as to eleven exactly, but I am told that it does.

317. If that were so, would not considerable public inconvenience be caused by earlier closing on Saturday night?—I do not think so; if they were paid earlier I think they might complete their marketing earlier, and I think that the earlier payment would follow the earlier closing.

318. I gather from what you have already said that the public-houses in Dublin are very much frequented



Chairman—continued.

frequented between 9 and 11 on Saturday night?—They are largely frequented.

319. By persons who require refreshment after working as well as by persons who go in merely for the sake of drinking?—I think by both.

320. What do you think would be the public opinion as to the earlier closing on Saturday night?—I really cannot speak about the public; I have reason to believe from inquiries that I have made that the majority of the trades of Dublin are against early closing. If I am to judge by the number that attend at the temperance meetings, I should say that they felt very little interest in it.

321. You do not know whether early closing on Saturday night has been in any way commenced in Dublin by the public on Sunday closing has?—No; it was an idea of my own; but I find on reading the evidence of the last commission that it was there strongly recommended by a good many witnesses.

322. Turning again to the Sunday, would you allow any sale of liquors on Sundays by spirit grocers or beer retailers not to be drunk on the premises?—No, I would confine the liquor traffic on Sundays entirely to the licensed publicans. I consider that the spirit grocer generally violated the law on the Sunday hitherto. Lately there has been an improvement, but as long as a spirit grocer can sell a glass of whiskey it will be consumed on the premises; and so with the beer dealer, if he is allowed to be open.

323. In that you refer to week days as well as Sundays, do you not?—It does take place on week days as well as Sundays, but I think it would be a step in the right direction if the spirit grocers, who generally in good many of them open during the closing hours, were not allowed to sell on Sunday. We have supervision over the publicans, and very few open before the proper hour, 2 o'clock. Each case that is made by the police is submitted to the Commissioner, and for a few times, when Sir Henry Lake was absent, it was my duty to go over the books and order the summonses; and I found out then that it was invariably the beer dealer, and the spirit grocer, and the unlicensed seller, who transgressed the law, and very rarely the publican, by what I call Sunday trading, that is, by trading in illegal hours on the Sunday.

324. Would you apply those hours of opening from 2 to 7, as you have recommended, to the city of Dublin only, or to the whole of the metropolitan police district?—Following the principle of the late Act, I should close for the metropolitan district as well, for they close early where the population is under 5,000, and I should make it an even closing as well in the suburbs as I would in the city at the same hour.

325. At the present moment, in parts of the metropolitan police district, the hours are from 2 to 7, are they not?—Yes.

326. Then you would leave those as they are?—Yes, I would leave those as they are.

327. What would be your opinion of a proposal to close public-houses totally on Sundays in the rural parts of the metropolitan police district, and open them between 2 and 7 in Dublin, and in the other large towns contained in the Bill?—I think it would be undesirable to close the public-houses within the metropolitan district.

Chairman—continued.

trict; but if you mean me to speak as to the country districts, I think the law might apply to the country.

328. I am speaking solely of the metropolitan district?—I do not think it would be at all desirable to close them in the suburbs. I should prefer to have one law for the whole metropolitan district on account of the excursionists, because they frequently, in fact, I should say nearly one-half of the respectable classes of Dublin, go out either to Kingstown, or to Rathmines, or to the mountains, or to the park, for an extension on Sunday. They always try to go to the country.

329. Supposing that public houses were totally closed in the country, and open from 2 to 7 in Dublin, what do you think would happen?—You would have more drunkenness in the city. They would go out, and I think they would be very much disappointed when they got to Roundtown or Rathmines in not being able to get a glass of beer.

330. Could you suggest any means by which the convenience of excursionists might be provided for, without allowing all the public-houses to be open?—Except it were possible to carry out the *bona fide* traveller as defined by the Act of Parliament, I think everybody would be a traveller under those circumstances, and it would be impossible for the publican to exercise any discretion. He would be placed in a very difficult position.

331. Any person going from Dublin to Kingstown would be a traveller, would he not?—Certainly; he would be three miles from the place he last slept in.

332. Therefore he would be able to procure liquor there?—Certainly he would.

333. Even if the houses were totally closed, as proposed in the honourable Member's Bill?—Certainly he would be able to procure liquor, but then the houses would be so hedged by people that they would virtually be open. It would also have the effect, I think, of driving, where there was a low inn, the whole liquor trade into that one inn.

334. Why would persons, coming as *bona fide* travellers, prefer to frequent a low inn to a better class of public-house?—Because I think that many of the parties would not go into the hotels of the superior class, such as the Grosvenor Hotel. I should think they would hardly prefer going there; they would think it was more expensive.

335. We are speaking now of excursionists?—If you mean by excursionists the respectable shopkeeper or artisan who leaves Dublin, I think that he would either go to a public-house as a *bona fide* traveller, or, if he could not get to a public-house, he would go to any low inn that he could get.

336. But supposing that all classes of public-houses were allowed to sell to *bona fide* travellers, as is proposed in the Bill before the Committee, then both the tradesman and the artisan would go to the house which they would naturally prefer, would they not?—Certainly.

337. Why did you say that everybody would go to a low inn?—What I meant to say was this: if the public-house was closed and the owner did not believe that they were *bona fide* travellers, because he would have great difficulty in ascertaining it; some might have come from Dublin

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Captn  
Toller.

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Chairman—continued.

Dublin and some might have come from Salt-hill or from Blackrock, or from Coolock or Grange, or from some little village immediately near Kingstown; he would not know where the man came from; he would have hundreds of cases to investigate, and he might not choose to open his house under those circumstances; and then they would go wherever they could get liquor.

338. Do you know what the feeling of the parts of the metropolitan police district, outside Dublin city, is upon the subject of total Sunday closing?—No, I cannot speak of the feeling at all; I have never investigated it. In fact, I have not taken any interest, certainly within the last two or three months, in that line.

339. Then, putting excursionists aside, you cannot tell us what the views of the people of Kingstown, we will say, or of others of the townships surrounding Dublin, would be as to total Sunday closing being carried out in their townships?—Yes, I can speak of that, because I made it my business to inquire from the officers of my force; i.e. the townships of Rathinane and Rathgar, which are principally inhabited by the higher order of the middle class, and gentlemen in mercantile establishments, bank clerks and persons of that kind and their families, they are in favour of total closing, because there are very few of the lower class; in fact, the lower class are quite the minority there, and they naturally wish that there should be no possibility of disorder in their neighbourhood. With regard to Kingstown I cannot speak so clearly, beyond the inquiries that I have made from the superintendent of that district, who says that the feeling is neither one way nor the other.

340. You have suggested shortened hours on Saturdays, and shortened hours on Sundays also, as a proposal that might be adopted; have you any other recommendations to make?—Yes, I would suggest that, if possible, more powers should be given to us for the suppression of the unlicensed houses, which I think I alluded to in my former evidence; I alluded to the penalty being only 2*l.* for illicit sale.

341. What would you recommend on that point?—If that penalty was increased to a similar sum for exposing for sale, which I think is 50*l.* and 100*l.*, it would have some check, and still more would it be effective, if on conviction clearly before a magistrate of selling without a license, they could be committed.

342. Is there not that power now?—In default of payment I fancy there is.

343. Is there no power of imprisonment without a fine?—I think it is optional; I am not aware that there is any power. However, it would be entirely with the magistrates.

344. You would still leave it optional with the magistrates?—No, I would not; I should have it mandatory when it was clearly a conviction of sale without license.

345. That it should be mandatory on the magistrate to commit the man to prison?—Yes, without the option of a fine.

346. Do you mean that the magistrates should not have the option of inflicting a fine?—That the man should not have the option of paying a fine, or the magistrate have the option of inflicting it; that imprisonment should follow upon the conviction unless upon a memorial to the Lord Lieutenant.

Chairman—continued.

347. Do you suggest any further penalty on the drunkard than at present?—Yes, I think if an habitual drunkard, or what I call a man well known to the police and to the magistrates, and who is habitually brought before them, were sent to jail for so many hours or days, it would have more effect in suppressing drunkenness than any other measure now contemplated.

348. For what term would the imprisonment be?—I should say 48 hours or three days if you choose. Now if he is fined 5*s.* the family suffer, and immediately he leaves the court he goes to drink again, and so the wages go, whereas if he was sent to jail, to the Bridewell, he would get no liquor, and by the time he came out he would be tolerably sober.

349. Do you think that 48 hours' imprisonment is a sufficient penalty?—I do not think it would be sufficient, but I should leave it to the discretion of the magistrates, not exceeding four days; any time from 24 hours and not exceeding four days. Besides that there are a number in the employ of large establishments in Dublin who drink, and yet it is not known to their employers that they are in that habit. They go home to breakfast on Monday morning, they appear before the magistrate and pay the fine, and go off to their establishment, and they are never found out. If they were absent from their employment for two days or 48 hours an inquiry would be made; and no respectable employer would like to keep an habitual drunkard in his employ. That would be an additional check upon them towards their good behaviour.

350. Can you give us the figures as to the arrests and convictions for drunkenness in 1876, as compared with 1875, in the metropolitan police district?—In 1876 there were 13,346 arrests, and in 1875 there were 12,702.

351. How many were convicted?—Thirteen thousand three hundred and eleven in 1875, and in 1876 there were 12,682.

352. Was there an increase in 1875 on the previous year, do you know?—I cannot tell; I did not go beyond 1875.

353. Would you in any way increase the responsibility of the publican for allowing excessive drinking or bad conduct on his premises?—Yes, I would increase, if possible, the penalty upon the publican for allowing drunkenness upon his premises, or given drink to those already under its influence.

354. In what way?—I would increase the fine.

355. What is the present fine?—I think it is 5*l.* for the first offence, and 10*l.* for the second. I am not quite accurate with regard to the Act of Parliament.

356. What would you increase it to?—I should make it 10*l.* and 20*l.* My reason for saying so is that often a publican carries on his business by an assistant, or some person who takes not the same amount of interest in it as if he were the publican. The man ought to be there himself to see his business carried on properly.

357. You think that his being liable to be heavily fined would make it his interest to do it?—I think that it would decidedly make it his interest to see that his premises were properly conducted. If I may add to the answer that I intended to make to your former question; if the spirit grocers and other houses were closed on the Sunday we would have more men available to be in the

*Chairman*—continued.

the night, each of the police-officers to render any assistance that might be necessary if they were called upon by the owner of the house to see order kept.

355. You have told the Committee that in your opinion, if the total Sunday closing were adopted in Dublin, you would have an increase of illicit drinking in unlicensed houses; what would be your view of the power of the police to cope with that?—Our power is, as I described in my former evidence, that we can only enter under the sanction of a warrant. I cannot go further than that. It would be unconstitutional to enter a house in any other way; if we go inside the house and we make out a case for and justify the seizure, and we would not be trespassers. The only way that we have detected unlicensed houses is by a man going in in plain clothes. Of course that has not been done lately, and I think it would be highly independent to do so now. But the sergeant often finds the door open and he slips in, and when once inside, if he can make a case, well and good; but they watch the police, and none of these unlicensed houses are ever without a man or a boy at the two corners of the street, to say, "the sergeant is coming."

359. I am thinking rather of the physical powers of the police than of their legal powers; if there was much unlicensed drinking of that kind there would be a great many houses to watch; could you do it with your present force, do you think?—It would be quite impossible. We have now available for duty three, in the whole metropolitan district about 849 men. That district comprises (I cannot be accurate to within a mile), about 34 square miles. I can give it by divisions if the Committee desire it. That 849 men have to be divided first by two; that is to say, for the day and the night. Then the day and night relief must be further divided by two, for no man can remain on duty from 6 o'clock in the morning until 9 o'clock at night, when the night men go on duty, until the following morning at 6 o'clock; therefore there would be not more than 220 men available to watch the whole of the metropolitan district for the hours between 6 o'clock in the morning and 9 o'clock at night, with this exception, that for six hours of the day the double relief is on duty; that is to say, from 9 o'clock till 4, there is a double relief of 440 men, and from that hour there are only 220. The same arrangements take place at night. The first relief goes out at 9 o'clock at night and comes off at 3; the second 120 go out at half-past 10 and come off at 6; thus from the hours of half-past 10 to 3 there are 440 on duty, while during the other hours there are only 220.

360. What is the total strength of the police force?—Now, since we have had a slight increase, I think it is about 1,150 as near as possible.

361. How do you mean that there are only 840?—Because all the rest are taken up by staff employments; such as the Four Courts, the magistrates' courts, and the Veterinary Department, and on sick leave.

362. The magistrates' courts do not sit on Sundays?—No, but they are in the magistrates' offices; they are clerks, they do the duty on Sunday.

363. Do you mean that, out of a force of 1,118 men, you only have 840 available for Sunday duty?—That is all in the day time. I am partly wrong in that; some of the clerks and

*Chairman*—continued.

others on staff-employment do what they call church duties on Sunday morning and evening at the different places of Divine worship. We have sometimes nearly 50 out and on leave. I can furnish the Committee with the details of it if they desire it. I should also state that the mounted police pay 4 for five or six hours of the night the whole of the metropolitan district outside Rathmines.

364. How many mounted police are there?—Twenty patrol at Kingstown, Blackrock, Rathmines, and round by the mountains, and the park, and Killarney, and Glengarry.

365. I asked you as to the feeling with regard to total Sunday closing in the suburbs of Dublin; can you tell the Committee anything as to the feeling as the subject in Dublin itself; have you taken any notice of any meetings that have been held on the subject?—Yes; I have kept the dates and the reports of the meetings.

366. Will you tell the Committee what you observed at those meetings?—The first was one I was at was in 1874, which was a meeting which was held near the Mound, in the Fifield Acres, and it was held on the 22nd of August. I went there on duty, as it was extensively noted in Dublin that there would be a large temperance meeting, and I attended there by order of Sir Henry Lake, and made my report accordingly. Those who gathered round the Mound, amounted to, I should judge, about 1,000 of the respectable class, entirely of Dublin, men, women, and children all included.

367. With regard to the disturbance at the first meeting, of which you have spoken, was the class of people who attended at a class similar to those who frequent public-houses on Sundays?—No; I should say that they were decidedly all very respectable people who attended that meeting.

368. I suppose some respectable people frequent public-houses on Sundays?—Yes, they do, but I mean well-dressed—well-to-do looking people.

369. People of a higher class than usually go to public-houses?—I will not say that. They were people of the middle class; they were shopkeepers and some few tradesmen, I think; well-dressed women and well-dressed children.

*Mr. Charles Lewis.*

370. Was this a meeting specifically with reference to Sunday closing, or on the general subject of intemperance?—I cannot speak to that; it was two years ago; I did not listen to the speeches; I understood that it was a temperance meeting.

*Chairman.*

371. Did you attend any other meeting?—There was another meeting which I attended, on an occasion when extensive placards were put up throughout Dublin, stating that the meeting would be interfered with by the publicans. That was on the 7th of May 1875. On that occasion, owing to the placards, I made some arrangements and had men in reserve. I proceeded to the Park myself, and I found a meeting there and a very large number of people walking about, but those who attended the meeting in the Hallows, near the Zoological Gardens, amounted to I should say, about 1,000 people.

372. About the same as at the previous meeting?

*Captain Tolson.*

27 February 1877.

Captain  
Trotter.  
27 February  
1877.

Chairman—continued.

ing?—Yes, about the same as at the previous meeting.

373. Was that meeting held in favour of Sunday closing, or was it generally a temperance meeting?—It was on the subject of Sunday closing. The placards in other cases stated that they were against Sunday closing. Mr. Nolan appeared in the park with a very small following; he was secretary to the Amateurs Association. I think there was some little band of music and a few boys, on his side, that walked through the park with a few drums and whistles.

374. Had he issued the placards?—I should not like to say that it was he who did it. I believe that they were issued at the instance of that party against Sunday closing.

375. Was the appearance of the persons attending that meeting similar to those at the previous meeting?—In appearance, those who attended the meeting in the Hollow were similar to those who attended the meeting at the Mound, but although there was a very large number of people walking through the park, there were only about 1,000 who seemed to take any interest in the subject.

376. Are you acquainted with any other meetings that have been held on the subject of Sunday closing?—I cannot speak to that, because I was not present at them; but there are reports on the subject, and I may say that there were about 15 meetings held in 1875, and one in 1876.

Mr. Charles Lewis.

377. All on one side!—All on one side.

Chairman.

378. Were they all of them held in the Phoenix Park?—They were held in the same place, in the Hollow near the Zoological Gardens in the Phoenix Park.

379. How were they attended?—The police reports from the superintendent who attended them state that there were from 100 to 200 and 300, and the largest number I find that he enters is 500. There was one meeting on the 7th of May 1876.

380. What was the attendance at that?—The attendance at that was from 300 to 400, according to the report.

381. Have any meetings been held on the other side?—None that I am aware of; no public out-door meeting, certainly.

382. Have there been any in-door meetings?—I cannot speak as to that. If there was one, it was of so insignificant a character that we were not aware of it.

Mr. Lam.

383. You suggest, do you not, that there should be an increase of the penalty upon the sale of spirits in unlicensed houses?—Yes, I do.

384. I see that by the Act of 1854 the penalty is, for the first offence, a fine not exceeding 5*l.* or less than 2*l.*, or to be imprisoned, with or without hard labour, for a term not exceeding three months, not less than one month; and for the second and every subsequent offence, a fine not exceeding 10*l.* or less than 5*l.*, or imprisonment, with or without hard labour, for not more than six months or less than three months; would you increase those penalties?—Decidedly. I would increase the penalty to what I have already recommended, 50*l.* and 100*l.*, and imprisonment, for sale without a license.

Mr. Lam—continued.

385. What extent of imprisonment would you recommend?—I have already recommended that, if it were possible, I should have imprisonment for a conviction, without the option of a fine.

386. You observe that the magistrates have a discretion either to fine or imprison?—Yes, but there is the word "or;" it is optional with them to do so.

387. You would make it compulsory to imprison?—Yes, if it were possible I would do so without a fine at all for unlicensed sale.

388. To what extent?—I think they would not try it again very often if they had two months' imprisonment.

389. In fact, your suggestion would be not to enforce the fine, but to withdraw a power of imposing a fine and to impose imprisonment?—Yes, if you could do so. My reason for saying so, as I have already said, is that the amount of profit made upon the sale of that liquor is so enormous that they can afford to pay almost any fine. I have already detailed that in my evidence on the previous day.

390. What do you say you would impose as the penalty for a publican selling liquor to a person drunk?—I am under the impression that the penalty now is 15*l.* for the first offence, and 10*l.* for the second.

391. No, it is 10*l.* for the first offence and 20*l.* for the second?—If that is the case, I think that that is what I recommended. I spoke in ignorance when I mentioned that fact. I would leave it as it is, if that is the case.

392. Can you tell us how many spirit grocers and beer houses there are in the Dublin Metropolitan District?—I find by my return that I made a mistake of nine in the number of public-houses. The number of public-houses in the metropolitan district will then be 1,000; the number of spirit grocers is 280, and the number of beer dealers is 154, and there are known to the police, so far as it is in our power to judge, 296 unlicensed houses. Of the latter, I can only go upon our surmise.

393. I presume the spirit grocers and the beer dealers give the police as much trouble as the publicans, in proportion to their number?—It would be easier for us to watch 20 public-houses than it would be to deal with one beer dealer or one spirit grocer.

394. You mean that it takes more police to watch those houses?—It would give more trouble, because we cannot detect the spirit grocer.

395. Does it not take more men to do it effectually?—Naturally, there being so many more of them. The spirit grocer erects a screen inside his shop, and once a man has a glass of whiskey it is quite impossible for us to see it.

396. I should like to know a little more in detail about the number of your men; you have 1,120 altogether?—Yes, I have more. I should not like to speak of the exact detail of my force unless I had my return with me; but there are 1,118, I think I said before. I have said that we have 840 for duty.

397. Taking off the 840, what are the remaining 340 doing?—There are many of them messmen; there must be a messman to each barrack, and there must be a reserve man to each barrack, and we have them employed at the Four Courts.

398. How many barracks have you?—I think we have about 20 or 25 barracks.

399. Could

## Mr. Law—continued.

399. Could you give the Committee an exact return of the employment of all those men on Sundays?—Yes, I can.

400. You do not want men in the Four Courts, or in the magistrates' offices on Sundays?—No, but they do church duty; they stand outside the church in the morning from 11 till 1, to prevent any disturbance or breaking the church windows, or any unseemly conduct outside the church, and then they go to church again at 7 o'clock in the evening, or at 5 o'clock; I do not know exactly which hour: I go to mine in the morning. They go, I think, from 5 until 7 in the evening, that is the four hours of duty that they do.

401. Can you give us the distribution of those men on Sundays, and of the police force altogether on Sundays?—The usual relief on Sundays takes place just the same as on any other day in the week.

402. There are 390 men who you say are not available or employed on Sunday?—I will take 50 on leave and sick. I will detail the rest, and send it in in a return.

403. When you spoke of the majority of the trades being against early closing, did you mean against the early closing of all trades, or against the early closing of public-houses only?—Early closing altogether; I think I mentioned that, from inquiries which I made, I believed that the trades of Dublin were opposed to total Sunday closing.

404. Your evidence was, that the majority of the trades were against early closing?—If I said that I made a mistake: I should have said that, from my inquiries, they were against the total closing of public-houses on Sundays.

405. You say that, as a rule, the police find that the earlier they close public-houses the quieter the streets are, and the more people go home?—Naturally people that are not on the street are at home.

406. You do not think that if the public-houses were closed altogether on Sunday, the people would go home?—No, I do not think that they would, because, as I have said, there would be more unlicensed houses.

407. Again, you told us that respectable people do not go to unlicensed houses?—Certainly. I think there are a class of people who would not go to unlicensed houses, but those are not the people that get drunk.

408. Not habitual drunkards?—No; certainly not habitual drunkards.

409. Would it have any effect upon others than the habitual drunkards?—I think that it would be inconvenient to the respectable men who use liquor in moderation.

410. Would it drive them into the unlicensed houses?—It might have that effect if they wanted liquor very badly.

411. Do you think it would?—I think to some extent it would.

412. Not to any great extent, I suppose?—No; I do not think to any very great extent.

## Mr. Richard Smyth.

413. You stated on Friday that you were very much opposed to the total closing of public-houses on Sunday; does your objection to such a law apply only to Dublin, or to country places also?—I think a law that would be very good for the country might not be applicable to Dublin.

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## Mr. Richard Smyth—continued.

414. Will you state what are the peculiarities in Dublin which distinguish it from the country, and which would lead you to say that there should be a different law in Dublin to that which should apply to the country?—There are a very large proportion of the respectable class and also a very large proportion who have no means of keeping or providing themselves with any beer or refreshments for the Sunday, for the simple reason that they live a good many of them in a single room, many families in one house.

415. Do you not think that the same inconvenience would press upon people living in small country towns like Mullingar and Castlebar?—No, certainly not.

416. Why not?—Because they all have then the means of keeping in their own houses very often a bottle of whisky.

417. Then it is not for the respectable population in Dublin that you would keep open the public-house on Sunday?—Yes, it is for the whole community.

418. How would that apply to what you say of the people who live in a single room?—I do not understand that. I have stated my reason, which is two fold, one, because the population is respectable and should not be deprived, I think, of the moderate use of liquor on Sunday, and the other is, that because a man is poor it is no reason why he should also be deprived of his glass of beer on Sundays.

419. Do you not find in Galway and in Wexford quite as respectable people as you do in Dublin?—Yes; I happen to have some property in Wexford, and on market-day coming home from Wexford, I have seen more drunken men than I have seen in Dublin on one day.

420. I am not asking your opinion as regards that just now; it is as to the respectability of the population of Dublin which you assign as a reason for their having the public-houses open on Sundays; would that same reason not apply to Wexford?—You mentioned Wexford, and I say that the population of Wexford and the country parts of the county of Wexford are extremely respectable, and none of them are without their liquor in their own houses.

421. But the respectable people of Dublin could supply themselves with liquor, could not they?—That is what they do not do, because it is not their nature to do so; they would not take home a glass of whisky or a bottle of whisky to drink at home; my impression is that an Irishman in Dublin does not drink for the sake of the liquor, he drinks for companionship more than anything else.

422. Then the nature of the people in Dublin is really different from the nature of the people in Galway and Wexford, and the country generally?—I am not aware that it is.

423. Then you lay no stress at all upon the nature of the Dublin people; you said that the nature of the Dublin people was different?—No, I say that the nature of an Irishman is not to drink for the sake of the liquor alone, but to drink for companionship.

424. How will that apply to Dublin as distinguished from the country towns?—I say that my opinion is that it is the same in Dublin as in any other country town, only that a law which would be applicable to a small village in the country is not applicable to a large city like Dublin; from my experience for many years in Westmeath,

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Mr. Richard Scott—continued.

Westmeath, I think a great deal of good might be done by closing public-houses on Sunday for other reasons than that.

425. Have you ever administered the law in a country district?—Yes, I have.

426. Where?—In Westmeath, Galway, and Mayo South.

427. You think that a Sunday closing law would be suitable for these places, though not for Dublin?—I think that a Sunday law, for some reasons, might be applicable, and create a great deal of good in the country districts, because it would not create any inconvenience whatever to excursionists. In a town like Mullingar the people make no excursions; they live in their own houses, and are generally well to do, and have plenty to drink in them.

428. Supposing that the police, in observing the number of people who went into public-houses on Sundays, had found that, comparatively, few persons used them on Sundays, how would that have affected your opinion as to the propriety of closing public-houses on Sundays?—If very few people went into public-houses on Sundays it would strike me that the public-houses were not required.

429. Why are you in favour of early closing on Saturday evenings?—Because, as I have already said, from good fellowship and companionship, they drink more than is good for them on Saturday evenings, and if you could wean them off that drink I think you would be doing a great deal of good. That is the reason I say it is better for them to go home early than to remain late.

430. Then your feeling in favour of early Saturday closing is not because there is no demand for drink at a late hour on that evening?—There is, decidedly, a demand; as long as the public-houses will keep open I dare say you will find some people go into them.

431. Will you be kind enough to reconcile those two opinions: you think that if there was little demand on Sunday for drink in public-houses, the public houses might be closed with propriety; but because there is a very great demand on Saturday evenings you would close them?—Certainly.

432. How do you reconcile those two things?—Because I allow them to drink up to 9 o'clock in the evening, and I should allow them to drink up to a certain hour on the Sunday. I do not see why they should be allowed to drink for six days in the week and become teetotalers for one.

433. I presume you are not now speaking as a commissioner of police?—You are asking me my opinion.

434. You are giving us a political opinion, I presume?—Not political, because I am incapable of politics. I have given my opinion.

435. The question I put to you is this: why you would be in favour of a Sunday closing law if there was little demand for drink, but you are in favour of an early Saturday closing law because there is a great demand for drink?—You mistake me altogether. I never stated that I was at all in favour of total closing even if there was little demand for drink.

436. Not even in the country?—On Sunday, as I stated, it is a different thing for many reasons, almost too numerous to mention. I have mentioned the reason why; if you choose to close the houses in a small town with a population of

Mr. Richard Scott—continued.

only 3,000 or 4,000, of which very few drink in a public-house, I do not see any objection to it, for it would not create any great inconvenience to the majority of the people.

437. I rather think you misunderstand what you have already stated. I think you said that if the police had found that there were comparatively few to drink on Sundays in the public-houses, you would be in favour of a Sunday closing law?—I beg your pardon, you quite misunderstood me if you imagine that I said that I would be at any time in favour of total closing on Sunday.

438. You do not, then, attach much weight to the popular demand for drink on Saturday evenings?—No, because I think that there would be quite time enough for them to arrange their marketing, and drink up to 9 o'clock on Saturday evenings.

439. So you think that you would not gratify the popular demand for drink after that hour?—I do not say that the popular demand is for drink after that hour unless by the fact of the houses being frequented up to that hour. I do not think that there would be any objection on the part of the people at all to close the public-houses at 9 o'clock on Saturday nights.

440. Your opinion in favour of closing public-houses earlier on Saturday evening does not arise from the drinking late on that evening leading to disorder?—I say certainly it is from the fact that there are more drunk on a Saturday evening and are taken up for drunkenness than on the Sunday, or any other day in the week.

441. You say that you would be in favour, then, of a repressive measure on Saturday evenings?—On Saturday evening I would limit the hour, as I have said, to 9 o'clock.

442. In spite of the demand of the people for drink?—If you choose to say so, of course it is in spite. Any legislation that prevents numbers of people from going into a public-house on a Saturday evening must be against the will of the people, of course.

443. Have you found that Sunday drinking leads to disorder at all?—I have already stated that there are about one-third less persons arrested on Sunday than there are on the Saturday, and that the prisoners on Monday morning are no test of the Sunday drinking, because two-thirds of them are held over from the Saturday night.

444. Is it a fact that a great portion of those who were observed by the police as going into the public houses on Sundays were within the metropolitan boundary?—The enumeration I cannot speak positively about, but I believe it was Sir Henry Lake that ordered the enumeration. It was so part of my duty, but I believe that the enumeration was taken throughout the whole metropolitan district, Kingstree, as well as the municipal boundary.

445. Are you aware that just about one-half of the population in the city are above 16 years of age?—No; I never went into those statistics. I am not aware of that fact.

446. You have no reason to doubt the statement that that is so?—I have no reason to doubt anything that is said.

447. The police observed 136,000 on the Sunday?—Yes; but there is a correction and a very large correction to be made in that, that the same man has gone into two or three public-houses;

Mr. Richard Smyth—continued.

houses; he treats a friend first and goes out, and then perhaps immediately afterwards he will come in and his friend will treat him, and so on. I should say that about 100,000 would be nearer the mark; and that must include also the people who have gone for their dinner-beer. That is to say, a maid-servant or a person who goes in with a jug, and buys a glass of beer to be brought home to drink.

448. It is quite a common thing in Dublin to send out for beer, is it?—I have seen them do it often. I do not know that it is a usual thing. I presume that if they drink beer with their dinner they send out for it.

449. Are you aware of your own knowledge that beer is generally drunk in Dublin by the working classes with their dinner?—I can speak no further than from seeing those servants going in when I was coming home from prayers, and bringing out beer in jugs.

450. Were you sure that those servants were going to bring it for their masters?—I do not know. It might have been for themselves; I cannot say that.

451. Do respectable people in Dublin who keep servants send them out for beer on Sunday?—I will not say the respectable people do. If you mean those of the upper class of life, I do not say so. I mean shopkeepers, and that class of people.

452. You say that about 100,000 would be pretty near the mark?—I say that; but I must be allowed a very great margin when I say it, for you really cannot tell. The enumeration is one from which I do not think you could arrive at any particular accurate figure.

453. Do you know that 100,000 would be considerably more than one-half of the adult population of Dublin?—I did not know that it would be; it might be. The population I know is 337,000.

454. I am now speaking of the metropolitan boundary?—I have no figures with me that will give it.

455. May I remind you that you have left out of consideration spirit grocers and beer-houses, and also a considerable number of public-houses, so that you would have to add to the number that were observed those who went into those houses that you have left out of the account?—Yes, that is quite true. It was confined to the public-houses.

456. So that in point of fact the enumeration of the police, making every allowance, would lead to this conclusion, that one-half of the adult population of Dublin went into public-houses on a single Sunday?—If it be so that that number is one-half the adult population of Dublin.

457. Can you form any estimate of the numbers who frequent public-houses in Dublin on week-days?—No, I cannot at all.

458. Would you think there were more or fewer than on Sunday?—It would be impossible to say. If I were to hazard an opinion, I should say that people are employed at their different works in the day time, principally on the week days, and after they come from their work, it may be that they do go into the public-house, but I would not like to venture an opinion upon that. I could give no idea of their number as compared with Sunday.

459. On the whole you think that scarcely so

Mr. Richard Smyth—continued.

many go in on a week day?—I cannot say; I have never thought of that subject, and I cannot form an opinion upon it.

460. Then do you think that more than one-half of the adult population of Dublin go into a public-house on week days?—I have already said that I can form no opinion with regard to what they do on week days; I can speak of what I have said as to the enumeration that took place, and from that I can speak as to the Sunday, but I have no data to go upon on the week day.

461. Looking at the matter as a matter of probability?—I can look at it in no way, because generally I am not out on the street. I go home to my own house at the time when I give up work, and I have no opportunity of knowing, nor do I look into the public-houses.

462. But you had found this result, that whether more people drink on Sunday than on week days or otherwise, fewer people get drunk on Sunday?—They are less drunk on Sunday than on week days, I think.

463. Then how do you account for that?—That there is less drinking on Sunday, that is the only way I can account for it.

464. So that more than one-half of the adult population of Dublin must go to public-houses on week days?—I account for it in no way; I have given you the figures of the enumeration, you have put the population at that. I give you the figures of those who have been arrested for drunkenness on Sunday; I also give you the figures of those arrested for drunkenness on Saturday, and also the figures of those arrested for drunkenness on a week day, on a Thursday, and I find, if you look at my answer to that question, that the week day, I think, is about the same as on Sunday as to the number of drunkards arrested; I am speaking from recollection.

465. You took special statistics of the arrests in November, December, and January?—Yes, the last three months, and I have them before me now. The week day, Thursday, January the 4th, from 7 a.m. to 12 p.m. at night, and the Sunday was from 3 p.m. to 12 p.m. On January the 7th, which was a Sunday, there were 19 arrested, and on January the 11th, which was a Thursday, there were 25 arrests from the hour of 7 a.m. till 12 p.m.

466. So that you arrested fewer on the Sunday than on the week day?—Certainly, as 19 to 25.

467. Was not the Sunday closing agitation somewhat hot during those months?—I did not take any interest in it; it may have been. I do not think it was, for I never heard of it.

468. It was brought to your attention, was it not, that there was such a thing as a Sunday closing agitation?—Yes, I was aware of it. I have heard of it for three years, but I never heard of it in any forcible or in any personal sense so as to take any interest in it.

469. I suppose nothing has occurred in Dublin to bring it especially under your attention during the last three months?—Nothing beyond the correspondence of the office which I have told you of.

470. The police magistrates or authorities in Dublin, I suppose, were not in sympathy with that agitation?—I do not know what you mean by "sympathy." We took no part except for

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the public good, or what we thought was for the benefit of the public.

471. But your opinion upon the subject was well known?—I do not think anybody else knew it but myself. I never spoke of it to anybody.

472. The opinions of the magistrates were not generally known, you think, by the rank and file of the police?—I am not aware of the opinion of any of our divisional magistrates.

473. Or of the Commissioner of Police?—I was aware of my chief's opinion of it, but he was not aware of mine.

474. Were the police during these months enjoined to be very strict in taking up every drunken man they happened to see on a Sunday?—Certainly not. No order of that sort was given.

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475. On the contrary, I suppose?—No order of the sort was given at all.

Mr. Richard Sayth.

476. Do you think that the rank and file of the police were well aware of the opinions that you have now stated before this Committee?—I cannot speak for what the rank and file of the police know at all; I only know what I knew myself and what orders were given to them, but what they knew I did not know.

477. Do you think that the short hours of sale on Sunday have anything to do with the smaller number of arrests on that day?—No; except to this extent, that I have already stated that there are people who drink in spirit grocers' shops in the morning of the Sunday, and if they did drink to any great extent, they would have had an opportunity of getting drunk, and they would have been found in the streets.

478. But, in fact, we have found this, that the arrests are roughly proportionate to the hours during which drink is available in public-houses?—If I compare the Sunday with the Thursday I do not think they are.

479. I say roughly?—No, not even roughly.

480. Then you think that the shorter hours have really nothing to do with the fewer of the arrests on Sunday?—I would not say that entirely. If a drunkard has more hours during which to drink the more he will drink, and the more likely he is to be drunk.

481. But you have stated in your evidence on Friday, that you think that if the houses were totally closed the number of arrests would be much about the same as now?—Yes, I think so.

482. You say that it would not diminish the number materially?—No, I think not.

483. Why are you in favour of shortening the hours on Sunday?—I only shorten them by one hour upon the same principle that I shorten them on the Saturday. Although I am against total closing on the Sunday, no person is more anxious to facilitate temperance than I am. My wish is to wear the people off the drink without making them sober by total and sudden closing.

484. You think that cutting off one hour would have a good effect?—I think it would.

485. Would cutting off two hours have a good effect?—You may cut off two hours if you like, as long as you will allow the great majority to indulge in moderation and have their glass of beer.

Mr. Richard Sayth—continued.

486. You are not now, I think, are you, speaking from the point of view of a gentleman who is interested in keeping the order of the City of Dublin?—If you ask me for my opinion individually, without being commissioner of police, of course, I can give you my opinion; if you ask me my opinion as commissioner of police I will give it you in that way.

487. It is entirely as commissioner of police that I ask you?—As commissioner of police I think that you will have, if you close on the Saturday night, as I told you, at nine o'clock, less arrests, and I think less drunkenness, and on the same principle if you close at seven o'clock in the evening of the Sunday you may have less of it.

488. Supposing you close at six o'clock on Saturday evening, would you have fewer arrests?—I cannot say, because it might be that if you closed at five o'clock or if you closed at four o'clock, or if you closed at three o'clock, it would come to total closing and then you would have none.

489. I want to know at which particular point the evil would begin to increase again?—I cannot tell you beyond this, that I think seven or even eight o'clock if you like, is a reasonable hour to close on Sunday.

490. I am now asking you what your opinion is as to the effect upon the peace and order of the City of Dublin?—The peace is not disturbed nor is the order disturbed. I do not think that it would have any effect even at the present moment; I am not aware of any disorder.

491. Why do you arrest people?—An arrest is not disorder, or they have not created disorder. It is very often for the purpose of taking care of them because they are helplessly drunk. I do not suppose that one-half of those arrested or one-third of those arrested on Sunday are disorderly.

492. Is it a crime?—I suppose it is a crime to indulge in liquor to excess.

493. Would it diminish the crime of Dublin?—It would diminish the crime of drunkenness in Dublin, if you mean that, at least so far that I still maintain it would only decrease it in the public-houses, but it would not decrease it, as I have said already, materially, because they would get the drink in unlicensed houses elsewhere.

494. Do you apprehend any riots in the City of Dublin, provided the Sunday closing law took effect there?—No, I do not apprehend any riots; the people are an orderly people, and I do not think there would be any riots. There might be some rows in the rougher parts of the city round the public-houses, but no rows that the police would deal with.

495. Nothing serious would happen?—No.

496. The people are all turned out of the public-houses, are they not, at nine o'clock on the Sunday evenings?—At nine o'clock, within metropolitan boundary, and at the earlier hour of seven, I think, in the townships where the population is under 5,000.

497. You do not find that the people riot in the city after they have been turned out?—No, certainly not.

498. And you do not think that the people would riot more readily before getting drunk than after getting drunk?—I have already stated that I do not think that if you closed the public-houses there would be any serious rioting.

499. You



Mr. Richard Seyth—continued.

498. You have said that you cannot enter an unlicensed house without a warrant, and you said on Friday, that the police are aware of 117 unlicensed houses in Dublin, and I think that today you corrected that by saying, you are aware of 295?—That may be within the municipal boundary; the one number is within the municipal boundary, the other may be within the metropolitan boundary.

500. Have the police been instructed with warrants in many cases to visit those houses?—Yes.

501. Are you aware to what extent those warrants are issued?—No, I am not aware.

502. Are they extensively issued?—They are extensively; there are several men who get a warrant which runs for a month from the magistrate to visit certain houses therein named upon information.

503. When the police enter these unlicensed houses and find liquor, do you know under what Act of Parliament the charge against the person inhabiting the house is usually brought?—No, I am not aware of that; I have not been doing of that particular duty; I am only Assistant Commissioner of Police, Sir Henry Lake is the Chief Commissioner. The magistrate disposes of those cases.

504. Do you not think that the police really understand, and thoroughly have the means at their disposal to detect, almost all the illicit sale that goes on in Dublin, if they earnestly set about it?—In the first instance, the police have done everything in their power; they do earnestly set about it, and they always have earnestly set about it, but they have no means in their power beyond the legal power of entering premises by a warrant.

505. Have the police authorities been in the habit of representing to the Government that their powers were not sufficient?—I am not aware of that, it is no part of my duty; Sir Henry Lake may have done so, but I do not know.

506. Is it your opinion that such a representation ought to have been made to the Government?—I am speaking now as assistant commissioner of police, and I should not exactly wish to answer if the Right honourable Chairman will allow me such a question as that; it would reflect more or less upon the department in which I am a junior officer.

507. But you have given your opinion to-day before the Committee, that they want larger powers?—That is a different thing; I have been asked by the Committee to give my opinion, but you ask me my opinion of what my commanding officer ought to have done.

508. Is it your opinion that the police of Dublin have not at the present moment sufficient power to stamp out this illicit sale?—Decidedly they have not.

509. You have said that you think that the publicans of Dublin are a very respectable class of traders?—I think they are a respectable class of traders; I do not know them personally, but from the inquiries I have made, I believe them to be a respectable class of traders.

510. They are not given to breaking the law?—Certainly there are exceptions to every rule, but as a general rule, I think they are a respectable class of traders, and that they do not wish to break the law.

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Mr. Richard Seyth—continued.

511. Taking into account the respectability of these traders in Dublin, provided that the Sunday closing law were applied to that city, have you no fear that those respectable persons would try to evade it?—I cannot say that there would not be any amongst them that would evade it; I cannot say what might occur if the public houses were closed on Sunday; I suppose that the spirit grocers are respectable traders too; nevertheless, many of them open their houses before the hours on the Sunday, and illicit drinking is carried on in them; so may it be with the publicans.

512. But you do not give the spirit grocers, do you, a very good certificate here to-day?—I do not say that the whole number of the spirit grocers, of which I will give you the number, are not a respectable class; but I say that a great many of them are not so much so as the publicans. There are spirit grocers of the highest respectability in Dublin, men of enormous wealth, who never open their houses upon a Sunday; I dare say you might pick out some 60 or 100 of them; but there are also a very low class of spirit grocers, and those are the men I allude to who break the law; but the vast majority of them I dare say are quite above opening their houses or allowing any illicit sale in them.

513. Do you give it as your opinion, that with strict law, that is with stringent penalties and with a sufficient staff of intelligent police in Dublin, you could practically put down shebeens in Dublin?—With regard to the intelligence of the police, we have as intelligent men as you can find anywhere. With regard to the stringency of the law if you give us a law that will empower us to go into a house and put penalties upon them we will put down illicit trading.

514. Have any complaints to your knowledge been made against the police for being somewhat lax in carrying out the licensing law?—I have heard of complaints being made against them, and I have also seen the report which related those complaints.

515. You are aware, are you not, that a deputation waited on the Government upon the subject?—I have heard of it.

516. Has there been any increase of activity amongst the police since that time?—I am not aware of it if there has. There generally is when attention is called to anything; there is generally everywhere a little more activity immediately after a complaint has been made than before it. Even with regard to the sweeping of the streets or pathways or anything else, if complaints are made, people are generally more active immediately after them.

517. Has there been any increase in the number of convictions of publicans, spirit grocers, beer dealers, and unlicensed persons of late?—I have no return of the sort, and I never heard of it.

518. Could you find returns giving us information upon that point?—I dare say I could; I have no doubt I could.

519. If you succeeded in suppressing shebeens, I suppose that would dispose of the question of adulteration?—Certainly, it follows.

520. So that the question of adulteration is altogether subordinate to the question of illicit sale?—I think I made that plain in my answer.

521. Your observation then leads you to the opinion that the working classes of Dublin are

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given to the drinking of beer generally?—I do not think that I hazarded an opinion whether they drank more beer than whisky. If I did, it is a great mistake. It would be impossible for me to say which they drink most of; porter is very largely consumed in Dublin, particularly Sir Arthur Guinness's.

322. Is that in bottle or otherwise?—It is both in bottle and in cask. There is one salutation that takes place in shoben houses. Sir Arthur Guinness's is a very much higher price than others, and that of the other brewers is of a very inferior quality, and they mix the two and derive a profit from it.

323. You stated that the people of Rathmines and Rathgar wish that in their district there should be no possibility of disorder on Sunday?—I stated that that was the result of my inquiry.

324. Then Sunday drinking leads to disorder?—That may be your opinion; of course, where you give men facilities for getting drunk, if they do get drunk, disorder may ensue.

325. There is nothing in the population of Dublin to render them peculiarly unruly, is there, they are not an unruly class of people?—No, they are not an unruly class of people.

326. So that the keeping of order in Dublin and the watching of the public-houses, is a question of the number of police at your disposal?—Entirely. The greater the number of police I have, if there is any disorder, the more easily I can deal with it, and the greater the number of police I have, the more houses I can watch.

327. So that what you have stated with respect to the small number of police at your disposal, is an objection which could be very easily remedied, I presume?—I think that this would be very difficult to remedy.

328. Would it be difficult to increase the number of police?—Yes, very difficult.

329. Then it becomes a question of money, as well as a question of men?—Considering that the taxation of Dublin is extremely high at present, and the maximum for police is reached, I do not think you would find it easy to increase the number.

330. Do you really think that you would require more police if you had the Sunday closing law than you require now?—That is a very large question. I tell you that I consider that men will get drunk in unlicensed houses, that you will not materially decrease drunkenness, and that the spirit grocers and some of the publicans may infringe their licenses; consequently if you had the same number of police as now it would be impossible to suppress all the inducements that you give for the violation of the law, or to detect them.

331. At what hours of the day on Sunday are arrests usually made for drunkenness?—Most of the arrests are made, I am informed, from seven in the evening until nine.

332. So that really the drinking in the illicit houses during the morning hours does not lead to that drunkenness which is detected by the police?—I said the most; but mind you, I do not say all the arrests, or even one-half, or even one-third of the arrests; but I am informed that the most take place at that time. I cannot bind myself to this answer, because it was merely from verbal inquiry, not from statistics, that I

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obtained it from some police officers. You can have the information of the hours in which the arrests were made if you choose to call for it. It is always mentioned in the charge at what hour the man was arrested.

333. Your impression is, that the drinking in illicit houses before two o'clock in the day does not usually lead to arrests for drunkenness?—I think that drinking in illicit houses is mostly carried on at night. I think that the drinker in a spirit grocer's house, when he violates the law, does it mostly in the morning and throughout the whole day. I should say that he begins in the morning and continues in the afternoon; but the illicit drinking is generally on week days and Sundays, carried on at night. If you close the public-houses upon the Sunday I think you will drive the drinkers into the illicit house.

334. You mean the habitual drunkards?—Those who are habituated to get their drink upon the Sunday, finding themselves out short suddenly, would try and get it elsewhere.

335. But you stated that the habitual drunkard frequented the illicit house?—When I was talking of the habitual drunkard I meant the man who was constantly drinking. You may call them the drinkers if you like.

Mr. Mellorand.

336. You lay great stress upon the objection that if the public-houses were closed on Sundays people would be driven into these illicit houses; does that objection apply to Dublin more than to other towns in Ireland?—I think on the same scale it would apply to other towns relatively to the population; but the other towns are so small in proportion, and their public-houses are, as it were, in the grasp of the police, which has barracks, as a general rule, in the centre of the town, that better supervision can be kept over the whole of the town.

337. Do you find that during the two hours at night when the public-houses are closed on Sunday earlier than usual, the people are drawn into these illicit houses?—I cannot answer that question. I could if I had the means of referring to the statistics, because I could tell how many cases had been made.

338. Are you aware of complaints having been made that the unlicensed houses are open on Sunday evenings after the present legal hours for closing?—The unlicensed houses are not generally known beyond the suspicion of the police. When we suspect them we watch them, and we see the people dropping in now and then; the people who frequent them have generally a particular sign, such as a scrape and a knock, or some particular way of getting into the house; and it is only by these means that they come to the knowledge of the police.

339. Then the estimated number that you gave us of these unlicensed houses was merely the number of those that you suspected?—Yes, of those that we suspect to be unlicensed houses.

340. If you closed the public-houses earlier on Saturday night, as you suggest, would there not be the same danger of driving people into the unlicensed houses?—Decidedly it would have the same effect.

341. That would be an objection which would apply equally, would it not, to your own proposal?

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posal?—It would be an objection, but as I have stated more but the lowest class of drinkers would, I think, frequent those public-houses, and I think that the women drink now, I am sorry to say, almost as much as the men do. Women of any respectability will not go into an unlicensed house, and in the case of those who do go in, it would be very much more against order and morality than it would be if they were to go into public-houses.

542. Are you aware whether the magistrates have ever availed themselves of the discretionary power to inflict imprisonment for keeping an unlicensed house?—No, I am not aware. You will quite understand if you know anything of the operation of the magistrates. We make cases for them, and when once they leave our hands I only know as it is reported to me what has become of the case by referring to the public-house book to see the result.

543. Another objection which you suggested to Sunday closing was on account of the people going out from Dalston to the taverns in the neighbourhood. Does not that apply also to the small towns, take, for instance, Neury; do not the people there go out to Batavia, and so on?—I do not know Neury, and I cannot speak of it.

Mr. *Maurice Brooks*.

544. You stated that the markets in the neighbourhood of Penton-wood were kept on on Saturday night to a late hour, 9 or 10 o'clock; is not Penton-wood a fashionable neighbourhood?—Yes, some part of Penton-wood at the end of the road from Watford is decidedly fashionable, but the upper portion of Leam-street, which connects it with the city, is devoted principally to shops and marketing for the accommodation of that particular neighbourhood.

545. Then the market for the accommodation of the working class is in one quarter of the city?—That is only one of many. That is a very small market compared to many others in the city.

546. Is it a market for the working men in Penton-wood?—I should say that it is about the smallest market and there are very few workmen attached to it.

547. Have you ever been to the market in the neighbourhood of Thomas-street and Pill-lane on Saturday?—No, I have never been there at night; I have been there in the day time but not at night.

548. Then you cannot say how late they keep open there?—No, I cannot.

549. You do not know whether it is carried on till midnight and after midnight on Saturdays?—I cannot give you that information, but the chief superintendent of the police force is here, and he knows everything about them, and he can give every information that the Committee desire.

550. With regard to the exemptionists to Kings-on and Round Town, and other places, can you say whether they resort to public-houses sometimes for rest as well as for intoxicating liquors?—Certainly they do, both for rest and refreshment and a smoke.

551. Do you know if in those houses they can obtain lemonade and pop and other intoxicating  
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liquors?—Certainly they can get lemonade and glacier beer also.

552. Are there not a very large number of manufacturing or so-called industrial workers of a certain intoxicating kind?—Yes, there seems to be a very large consumption of them, for the streets are crowded with the kind of men you mean.

553. Do they occasionally, as you say, for a companionable sake visit frequent these small public-houses?—Yes, certainly; young men go out to have a walk round by the Regent's-road, and round out to Kensington, talking about a man or eight or nine miles walk; I have often seen so myself.

554. Would inconvenience result to these young men if there were not licensed houses to which they could resort?—If I was one of the young men I should be very much inconvenienced.

555. And it would also be an inconvenience, would it not, to persons who bring their wives and children to the seashore?—Certainly, I should think so.

556. Can you tell me the nature of the Irish organisation for closing public-houses?—No, I cannot; I never studied it.

557. At the two public meetings, which you have attended in the park, were they addressed by public speakers of great repute?—I think they were, certainly.

558. Can you name any?—I think the honourable Member for Louth was there on one occasion.

559. Do you not think that the honourable Member for Louth would attract an assemblage of a thousand persons on any fine Sunday, if he were to address them on any public subject?—I think that he ought to have had a much better audience than he had.

560. Were there any other speakers than the honourable Member for Louth?—I do not know of any others.

561. Can you account to the Committee for the apathy with regard to meetings in Dalston, on the part of the 150,000 persons who use public-houses on Sunday?—The only way that I can account for it is, that it was thought it would never take place.

562. Can you afford to the Committee any reason for supposing, that they thought that this Bill would not be carried into effect?—Perhaps they thought, as I did, that it would never pass, and that it would not seriously be brought forward.

563. Do you know whether any promises were given by the late Government with respect to this matter?—I am not aware of anything that was done about it.

564. Are you not aware, and is it not a matter of public report, that deputations waited upon Lord Hartington when he was Chief Secretary for Ireland?—Yes, I remember reading about several deputations in the newspaper, but I took no interest in the matter, and I could not say which side they were upon.

565. You cannot inform the Committee whether any assurances were given by Lord Hartington?—Not at all. The only deputation that I am aware of was, one that waited upon the present Chief Secretary the other day, principally bringing charges against the police.

566. You were asked by the honourable and learned

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learned Member for Londonderry, whether the closing of public-houses would increase the number of what are called *slip houses*?—Yes, I was asked that question, and answered that I thought it would.

567. And, therefore, would lead to an increase in the number of breaches of the law?—Certainly; and my further opinion is, that if we suspect 200 and odd houses now with the public-houses open, if they were closed, that number would be greatly multiplied.

568. And, if so, would tend to increase the breaches of the law; would it also increase the number of law-breakers?—Of course a man who enters the unlicensed house is a law-breaker, and therefore it would multiply the number of law-breakers.

569. The habitual drunkards are law-breakers too; I want to know if it would not force persons who now are respectable moderate drinkers, to join the ranks of the law-breakers?—That is what I intended to convey, that closing public-houses would be an inducement to drive people who would use liquor moderately now in a legitimate public-house on a Sunday, to get it in an unlicensed house.

570. Do you, as Assistant Commissioner of the Police, inform the Committee as your opinion that it would increase the number of law-breakers, I do not mean the number of breaches of the law by habitual drunkards, but would it increase the class of law-breakers?—Certainly.

571. In reply to my honourable friend, you informed the Committee that in Wexford you observed a larger number of drunken persons than you did in the neighbourhood of Dublin?—Yes; I mentioned that on Saturday evening I saw it coming home from market, more than I did on Sunday in Dublin.

572. Are not the public-houses in Wexford altogether closed on Sundays?—Yes, I believe they are; I was alluding to some years ago; I have not been there on a Saturday lately; it may be totally reformed now.

573. Do you think that the smallness of Mullingar and Castlebar, the two towns named, would account for a lesser number of persons going to the suburbs for air as in Dublin?—There is no suburb in Mullingar, and there is none in Castlebar for them to go to.

574. In Mullingar there is no necessity for them to go to places like Kingstown and Tereauire, I presume?—Certainly not; that is the reason why I said that the people remain at home, or walk about their own roads.

575. May I ask if you think that a great number of the population of either of those towns would be spread over a very much greater area than they would be in Dublin, and, therefore, they would have more elbow-room and air space in Mullingar and Castlebar than in Dublin?—Yes, certainly, I think they would; it is very hard to say; I do not exactly know the population of Mullingar, but probably there may be 5,000 or so.

576. Then there is less incentive to go to a house of public entertainment on a Sunday?—Yes; I think in towns like Mullingar and Castlebar, the principal drinking is on week-days, and not on Sundays.

577. Do you know that in cases like the houses in King-street and Stephen-street, there

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are said to be 100 souls living in one house?—If you say that there are 100 souls in one house, I cannot contradict you, but it seems a very high number.

578. How many do you think would inhabit each house in Castlebar upon the average?—It is many years since I was in Castlebar, and therefore I cannot speak with any certainty, but I should suppose there might be three or four. If you speak of souls there might be a good many children there, but at all events, you are in a much better position to know than I am.

579. At any rate in some of those large houses in Dublin, there would be 40 or 50 persons in the different tenements?—Yes.

580. The honourable Member asked you why there was a necessity in Dublin for opening public-houses for artisans and the working classes, if there was not the same necessity in Castlebar; would not the larger number of persons who live in a house in Dublin sufficiently explain the necessity for their going to houses of public entertainment?—That is what I tried to convey, that they had no means of keeping liquors and things amongst themselves in their own houses, and that is the reason that I wished them to have a place in which they could have a moderate amount of drink.

581. And, therefore, there would be a greater demand for places of public entertainment in a city like Dublin, than in the small towns which the honourable Member has mentioned?—Certainly. The people in the country towns are more comfortable; they live in luxury comparatively to the houses in the neighbourhood of Bridge-street, which is close to the castle in Dublin and other parts of it.

582. Can the artisans and working men in Dublin offer to their neighbours the same facilities for companionship at the domestic hearth that the people in the small towns in the country can offer to their neighbours?—I should think they could, if you allow them a place where they can get refreshments, but if you debar them from that, they have no means of returning the same sociability and hospitality as they can in the country. It would be utterly impossible for them to do so; some of the lodgings and tenements of the poorer class in Dublin are really pitiable.

583. You stated that you had observed that there are two classes of persons who frequent public-houses, the habitual drunkards and the moderate users of the public-houses?—The habitual drinkers, if you will allow me to alter the expression, and the moderate drinker, the man who goes in for his moderate refreshments.

584. Of the 126,000 visitors at public-houses you say that there are not more than 18 persons who have been arrested for drunkenness on Sundays?—I gave that number for three months, and I gave the number on each of the three days, but the smallest number of arrests for drunkenness on Sundays in the months of November, December, and January, was 15, whilst the greatest number of arrests was 33.

585. And you assume that although there are but 33 persons drunk, the remainder of the 100,000 visitors would not be discontented, or would not proceed to riot on Sundays if a law proposing

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proposing total closing were carried?—I gave it as my opinion; I said 100,000 people were nearer the mark that frequented public-houses in the city, and 99 out of every 100 people that ordinarily do go into a public-house would feel great inconvenience at being deprived of their refreshments in the public-house on a Sunday; but I said that I did not anticipate that it would lead to any serious rioting in the city, beyond what might take place in the rougher portions of Queen-street or other parts of the city greatly frequented by the lower order, with regard to whom some slight wish to obtain drink might lead them to breaches of the peace.

586. May I ask you whether, in your opinion, the carrying of this Act into effect would lessen the labours of the police in Dublin?—No, I think it would not lessen the labour of the police, and that no matter how we exerted ourselves, it would be a source of constantly incurring blame, because of the great difficulty that we should have in dealing with those who would sell liquor at prohibited hours and the operation of the unlicensed houses.

587. You were asked by an honourable Member, if you were to further limit the present hours for opening public-houses on Sunday, say from 9 o'clock to 8, whether you would not lessen the amount of drunkenness, supposing that all the distilleries and breweries in Dublin were closed, do you think that thereby you would materially lessen the drunkenness?—If there is no liquor to be had, you would have no drunkenness; it would be a great calamity if such a thing did take place.

588. Then on the theory that the line must be drawn, where is it your opinion as Commissioner of Police, that 9 o'clock is a reasonable hour, and that either 8 o'clock or 7 would be unreasonable?—I have no objection to try an earlier closing, say 8 o'clock, but then I think that 9 is a reasonable hour as it at present stands, but I have no objection to make the trial.

589. Do you think that the lessening of the hours as it would have undoubtedly you would say, the effect of lessening the amount of drinking, would lessen the drunkenness?—Those are all things that may take place in the future, but my idea is to warn the people by degrees off their drink, and that is the reason that I try in the first instance to send them home sober on Saturday night, and to follow it up by endeavouring to get them home to their families early on Sunday. If that is the good effect produced, nobody would be more pleased than I should be; that is my idea about it, that you must draw the line somewhere. I am quite willing to make a trial, and think it may be of use to make a trial at 8, but I consider that 9 is a reasonable hour.

590. Supposing that the suggestion of the honourable Member to limit the hours from 9 o'clock to 7 was adopted, by how many, in your opinion, would the number of arrests be decreased?—I think the number taking, then proportionately, may be smaller if there is any good in the suggestion that I have made of closing at an earlier hour; but if it is useless to close them earlier the number of drunkards would be the same, because I have always said that the fact of closing the public-house will send them to the unlicensed house; it will send the lower order of

Mr. Maurice Brooks—continued.

drinkers to the unlicensed house, but it may have the effect of reclaiming the upper man who has not fallen into excessive drinking, and it may be an inducement sending him home earlier and sober; but no matter what hour you close the house it will still drive a man given to excess in drinking into an unlicensed house, or wherever he can get it, because he will get it at all risks.

591. Supposing the Bill to be carried into effect, and assuming now that the public houses should be closed, and that then there would be a tendency to increase the number of illicit houses, in order to suppress the illicit houses, or in order to prevent the increase of illicit houses, by how many would you require a reinforcement of the police?—That is a very difficult question to answer, and one that I am not prepared to answer you in every respect. In the first place, if we have no more assistance given us with regard to the unlicensed houses it will be almost impossible to suppress them. As to receiving information from others about it, that is a thing which in Ireland we never do; an informer is never or very rarely known, so that the police can get no information in that respect. Next, we cannot send a young policeman of two and three and four, and even five years' service, in plain clothes, to try and get drink in a house to make a case, it is a thing which the judges and the magistrates have set their faces totally against; besides it would be most undesirable from many other circumstances to send policemen out of uniform to the house, in order to detect any crime of this nature. There would be the difficulty that we would have in suppressing unlicensed houses. Then with regard to the detection of the sale of liquor in public-houses and on spirit grocers' premises at prohibited hours, our duties would be nearly doubled in my opinion; so that it would be impossible for me to arrive at a correct figure of the number of police that would be required, but I should think that our force should be materially strengthened.

592. Do you think that an addition of 400 men would prevent the extension of the illicit houses?—Naturally the addition of 400 men would be a very considerable increase, and the beats would be covered much better than they are now, but at the same time that force would not be available for at least a year. The number of men doing duty on the streets now do not average, I should think the seniors of them, more than five or six years' service; they are all young men, and it would take some time to put them on the streets.

593. What is the present annual cost of the Dublin police?—I cannot tell you the estimates, they are very large; I know the taxation is 8 d. in the pound, and it is up to its maximum now, it costs the Government a great deal more.

594. Eight pence in the pound does not cover the cost of the police, does it?—Not one-third, I should think; I cannot be bound to my figures, for really the estimates of the Dublin Metropolitan Police would cover nearly two or three quires of paper.

595. With regard to the extra power necessary for the prevention of illicit houses, do you seek to enter suspected houses without a warrant?—No, certainly not, because I think that that is unconstitutional.

596. Then you do not seek to obtain that power?—No; what I stated was that I thought

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that the detection of such cases of illicit sale might be punished by imprisonment without the option of a fine, but I never asked to go into a house without a warrant because it would be both unprecedented, unconstitutional, and undesirable for the police to do.

597. You stated just now that the amount of fine was outside the power of the police, and that after you have handed over the case to the magistrate you have no longer anything to say to it?—No, we have not, but the magistrate has.

598. Do you think that that additional power should be given to the magistrate and not the police?—Certainly never to the police; we have nothing whatever to do with it, once we make a case it goes in due course to the magistrate.

599. Then, as I understand, you do not require any additional power for the police?—No, we do not require additional power for the police to enter. We enter by a warrant, or, as I have stated, if we find the door open we can go in.

600. Are the laws sufficient or insufficient which give power to the police?—They are not sufficient, but I cannot suggest any law; it is for you to do that, that will empower us to go into a house.

601. What other power do you suggest should be conferred upon the police?—I am not aware of any further powers that you can give which are constitutional, but I think that you can give the magistrate powers which you cannot give to the police.

602. It amounts to this, that the police, although they have sufficient power, are unable to cope with the illicit sale of drink in Dublin?—Certainly; that no police can cope with an illicit sale where they must enter the premises in uniform and by means of a warrant, except in a very few cases, for reasons that I have already stated, that the police are watched by people in connection with the unlicensed houses, and the moment he appears on the street a signal is given, and any drink that is in the hall or passage is put aside, there is no more about it. You cannot enter a house under those circumstances, and as I have stated to you before, the liquor, if found at all, is found in a room in the occupation of no one. Then there is nobody to summon. The house is let similarly to one of those houses that you have described in King-street, with 40 souls inside in different rooms and paying different rents on different days for different tenements; there is nobody to convict. The liquor is seized, but they proceed the next day in the same way. I described on the previous day of my examination, that on one occasion where a woman was found with drink, when on her way to the police office, she told the sergeant not to be too hard upon her, that she could pay a fine of 2*l.* and live.

603. Then a law that is applicable to the small towns would be totally inapplicable to Dublin?—I consider so, and I have said so, that a law which would be very good for the country, and in some peculiarly situated towns, and for rural districts, would not at all meet the case of a large metropolis like Dublin, with a population of 235,000 people.

604. Having regard also to the nature of the residences of the working classes?—Yes, and to

Mr. Maurice Brooks—continued.

the mixed population from the lowest to the highest.

Dr. Caseron.

605. You have mentioned the total number of arrests on Sundays during three months; have you any objection to state what was the total number on the Sundays, on the Saturdays, and on the Thursdays?—For the month of November 1876, the arrests for Saturdays were 290, Sundays 101, Thursdays 171. For the month of December they were, Saturdays 368, Sundays 112, and Thursdays 147. For the month of January 1877, Saturdays 261, Sundays 85, and Thursdays 135.

606. What proportion of the Dublin police are required to be on duty on the Sunday?—The same number as on week days, with this addition, that the clerks and orderlies, and mounted troops do church duty at the several places of worship, Protestant, Roman Catholic, and Presbyterian, on the whole of Sunday during Divine worship in the morning, and also in the evening.

607. Then practically, you have the same number of police on duty during the Sunday, exclusive of that church duty, as you have on ordinary week days?—Yes, quite so.

608. And you believe that the force on duty on Sunday, would require to be materially strengthened if Sunday closing were enforced?—Decidedly; for on week days we have only to watch them closely, but if the public-houses were closed on Sunday, and breaches of the law took place, we should require a greater number of police to watch them and detect them.

609. You are probably not aware that in Scotland a very considerably fewer number of police are employed on Sundays than on week days?—I am not aware of anything in Scotland in that respect.

610. You gave us the figures of the arrests for drunkenness for two years, and I think they were somewhere about 12,000 in one year, and 13,000 in another?—Yes, in the year 1875, as compared with 1876.

611. Do those figures include drunk and incapable, and drunk and disorderly?—It included all forms, drunk and incapable, and drunk and disorderly.

612. You mentioned that there had been no great agitation against this Sunday Closing Bill, because the people of Dublin think that it will never pass?—I merely mentioned that as my opinion; I said that I could not know their reason for it, unless it coincided with my own, and that I did not think it would ever pass.

613. Has there been any agitation upon the subject against the Bill since the division last Session, and since the declaration of the Government last Session on the subject?—No, there has been no agitation at all upon the subject that I am aware of.

614. Has the question of early closing on Saturday nights been discussed at all?—No, I never heard it discussed, but I am aware that it was recommended; it was an idea of my own, but I did see on reading over the minutes of last commission, that it had been recommended.

615. The excursionists from Dublin go in large numbers to Kingstown; another large number of them go to Howth; and another large number go to Bray; are not Bray and Howth, and the stations

## Dr. Cameron—continued.

tions along the Horth line, outside the metropolitan district?—Bray is outside the metropolitan district, and so is Horth.

614. How would their case on Sunday differ from that of Kingstown?—I should consider that Bray would be quite as much inconvenienced as Kingstown in the metropolitan district, being so near to Kingstown, they would be exactly in a similar position to Kingstown; but Horth is to a great extent different; Horth is a summer place where most people go out for picnics. Families take their refreshments with them, and sit there on the hill and outside round the hill, away from any village: there is not a public-house except in the village of Horth.

617. But your opinion is that Bray and Kingstown are on very much the same footing, so far as excursionists go?—Yes, entirely on the same footing.

618. I presume that Bray would suffer more inconvenience, according to your manner of viewing the subject, than Black Rock or Bootstown?—Yes; may I add to that last answer, that I should think that the greater number of people going to Bray are of the middle and upper classes, and that parties more likely to frequent public-houses would not find their way so far as Bray.

619. But the railway fare between Dublin and Kingstown, and Dublin and Bray, is not very different, is it?—No, indeed, it is not very different, but I think, judging by the train, that the more respectable people go to Bray. I think Bray and Kingstown would be very nearly in the same position.

## Mr. Jos. Hamilton.

620. With regard to the six-day license, you say that there were only 61 out of a total number of 1,000?—Yes, and about five or six of which are early closing on Saturday.

621. Can you state how many of those 61 six-day licenses are within the municipal boundary?—No, I cannot, but the information is with the chief superintendent, and he can give it you when he is examined.

622. That returns is down to the present day, is it not?—Yes; it is down to the present day; I wrote to Mr Henry Lake for it, and I think that he must have sent it.

623. Are you aware that in Dublin there is an association called The Dublin Temperance Association?—Yes, I am aware of that.

624. They have held meetings, I believe, in the park?—Yes; those are the meetings that I alluded to.

625. I was not quite clear whether you meant to supply that those meetings were for Sunday closing?—I said I did not know exactly what were their objects, but I thought that the one which was held in May 1875, when there was an advertisement of a counter demonstration, was for Sunday closing. As to the object of the earlier meetings, I am not sure whether it was not for temperance altogether.

626. That association had adjourned meetings from time to time, had they not?—Yes; they had during the year 1876, as I said, 14 or 15 meetings, and I think they had only one in 1876.

627. And these were for the general objects of temperance?—I think they were.

628. You stated that a law which might be

629.

## Mr Jos Hamilton—continued.

good for the country at large might not be applicable for Dublin; would you say the same as respects the township?—No; because I look upon the township as portions of the metropolitan district and of the city, the same as Dublin. The township are closely connected with Dublin that you can hardly distinguish between Rathmines and Dublin. You only pass the canal, and Peniarth township and Dublin are the same. Rathmines is a part, you may say, of Dublin, and Kilmainham is a part of Dublin. Then there are continuous terraces and houses on to Bootstown and Black Rock, and on to Kingstown, and so on to Dalkey for nearly seven miles.

629. It is the case, is it not, that the wealthier people of Dublin reside in Rathmines, as I am not in town on Sunday?—Yes, I think very few indeed of the upper class live in the city on Sundays, excepting in the fashionable squares, Fitzwilliam square and Merrion square. But when you speak of streets, very few live in their houses of business; besides, they reside mostly out in the country.

## Mr. Charles Lewis.

630. Do I rightly understand you that, supposing you could effectually stop the unlicensed sale, you would still be against Sunday closing?—I do not know whether the honourable Member means speaking as a police commissioner or my own private individual opinion.

631. First as a police commissioner?—Speaking as a police commissioner, I think if you could stop all unlicensed drinking, and close all the public-houses, you would give the police much less to do, and there would be less drunkenness.

632. Supposing that you could effectually stop the unlicensed selling of drink, would you be in favour of Sunday closing?—The only answer I can give is this, that if you make it impossible for men to drink, there will not be drunkenness. If you ask me my opinion as regards Sunday closing, I am against it, because I do not think it right that you should deprive a man of reasonable refreshments.

633. Then even if you could effectually put a stop to the unlicensed sale of drink, you would still be against Sunday closing abstractedly?—Certainly.

634. Would Sunday closing absolutely increase the trouble of the police?—I have already said that I think it would.

635. And would necessitate a great deal of extra watching?—Yes.

636. Have any of the unlicensed houses been watched on a week day?—As far as is in our power lies they have.

637. On any regular system, or merely occasionally?—Whenever the policeman's duty or time will allow him to do so.

638. That is usually, in the course of his ordinary duty?—Yes, in the course of his ordinary duty.

639. There is an enumeration that we have heard of with regard to licensed houses at the ordinary opening times of Sunday, has there been an enumeration, or attempt at an enumeration, of the persons entering unlicensed houses?—No, certainly not.

640. Do you happen to know whether the licensed houses are very much frequented and kept

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kept open after hours?—Very few public-houses keep open after hours, or open before the usual hour.

641. You think that the law is respected by the public-houses?—I think that the law is comparatively respected by the public-houses as to opening. I would not say that there are not exceptions to the rule, but as a general rule the public-house obeys the letter of his license. The only means that I have of judging is by the inspection which I make of the public-house book, and by observing the cases that come before me upon which I order a summons to be issued.

642. Having regard to what you have said, do you think that the illicit selling arises from the closing of the licensed houses, or from the fact of there being a license required?—I am sure that the other houses being closed is one inducement to the illicit sale; and the enormous profits that are made upon the sale of the drink in them is a further inducement.

643-4. Supposing that the licensed houses were always open, do you believe that there would be illicit houses then?—I think that the number of illicit houses would diminish very considerably.

645. But they would still exist?—I think very few would exist, because they would entirely lose their trade. If they could get it in licensed houses, there would be no reason for people to go into unlicensed ones.

646. Do you think that illicit houses are a consequence and product of the closing of ordinary houses at stated periods?—Certainly; principally of the closing of licensed houses, and also of the profits made by the sale of adulterated drink.

647. Do you think that the Legislature might adopt provisions of a far more stringent character for stopping the illicit sale?—Certainly; I would recommend anything that would stop the illicit sale of spirits.

Mr. Meldon.

648. Did I understand you to say that the illicit houses are opened in consequence of the public-houses being closed on Sundays early in the day?—Yes; I mentioned that illicit houses are open at any hour. They are never opened, but people can get into them.

649. The chief cause of there being illicit houses selling drink on Sunday is the fact of the respectable public-houses being closed?—Certainly.

650. Would you extend the principle which you would apply to the total closing on Sunday, by allowing the opening of the public-houses all day on Sunday, in order to prevent the illicit sale when the respectable houses are closed?—No, I do not think so, because I think that 2 o'clock in the day is quite early enough for a man who indulges moderately in drink to get it.

651. I understand that one of the reasons for your objection to the closing of the public-houses on Sunday is the amount of illicit drinking that would take place; is not that argument just as applicable to the hours before 2 o'clock as it is to the hours afterwards?—I have no doubt that if a public-house was open at 9 o'clock in the morning, and a man could get liquor in a public-house, he would patronise the public-house instead

Mr. Meldon—continued.

of rendering himself liable to a penalty for being found in an unlicensed house.

652. For the purpose of diminishing the illicit sale of drink, would you not be prepared to recommend a further extension of the hours for opening of public-houses on Sundays?—As I said before, you must draw the line somewhere. If you mean abstractedly that the illicit house is a consequence of the closing of the licensed public-house, of course if you open the public-house and draw the whole trade back into the public-house, you will diminish the demand for the unlicensed ones.

653. Looking at the principles which have guided you in your opinion as to the closing of public-houses on Sundays, would you be prepared, in order to diminish the illicit sale of drink, to advise the extension of the open hours on Sundays?—As I have said before, I am not prepared to advise the extension of the hours on Sundays; on the contrary, I said I was willing to try to limit them.

654. If opening the public-houses would diminish the illicit sale, which you think is a great advantage, why would not you propose to extend the hours so as to put an end to the illicit sale?—I cannot really give you an answer to that; you must draw the line somewhere. I maintain that shutting the public-houses will tend, I think (I may be perfectly wrong), to drive the trade into an illicit line; I cannot give you any further answer than that.

655. May I ask you is Clontarf within the metropolitan police district?—No.

656. Is Drumcondra within the metropolitan police district?—Part of it.

657. There is a part of it that is not?—Yes; I am pretty sure there is a part of it. There may be a townland without the district.

658. Are not Dollymount and Clontarf very much frequented on Sundays by people?—Yes, certainly. I could give you an instance of it. The train-cars from Dublin are crammed on Sunday morning for the purpose of going out as *land slide* travellers to Clontarf, where they claim liquor as *land slide* travellers.

659. In point of fact a large number of people frequent Clontarf and Dollymount on Sundays?—Yes, a large number do.

660. Why then do you advocate, or are you prepared to advocate, that total closing in Dollymount and Clontarf is necessary, and that opening in Kingstown is necessary?—I never heard of the question of total closing in Dollymount or any part of the country near Dublin. I was asked as regards the country districts, and when I answered that question I had in my mind what you really call country in the counties, such as Mayo, Galway, Westford, Wicklow, and so on. I never intended to be understood to mean any portion of the suburbs or within 10 or 12 miles of Dublin.

661. The same reasons for keeping the public-houses open at Kingstown apply also to Clontarf and places of that kind?—Most decidedly.

662. And the Strawberry Beds and places of that kind?—Yes; I think closing them at the Strawberry Beds would be a matter of very great difficulty and very serious inconvenience and disturbance.

663. On Sundays, does it take any considerable number of the police to watch the public-houses



Mr. Meade—continued.

houses properly; that is to say, the licensed houses, including beer-houses and spirit-houses?—They do their duty on Sunday the same as they do on every other day of the week.

664. Does it give a great deal of employment to the police watching public-houses and the other licensed houses?—It does not give more trouble on Sunday than it does on any other day of the week.

665. Does the watching of the public-houses give a considerable amount of employment to the police?—Not more than their ordinary duty on any other day. They do their duty on Sunday the same as on any other day.

666. But leaving the duty cast upon them of watching the licensed houses, does it increase their ordinary duty; if they had not to do that week would you require the same number of men?—Yes, you would require the same number of men, because they have to walk their beats exactly the same, when they watch the public-houses, as when they do not.

667. So that in fact the duty that they have now in connection with the licensing law does not in any way affect the amount of work that they have to do, or the number of men that you require to employ?—The public-house duty would be exactly the same. A sergeant would have exactly the same district to go over as he would under any other law, except this, that if the public-houses were closed on Sunday, I may be perfectly wrong, but I think you would have a great many more violations of the law before the hour of closing and afterwards, than now.

668. Assuming that there were no places for the sale of illicit drink, and that the public-houses were closed on Sunday, would the police have less onerous duties than they have at present to discharge?—They would have exactly the same duties on their beat.

669. Would they have the same amount of work as they have now?—Exactly the same.

670. So that the watching of the public-houses therefore is not an onerous duty at all?—We do not put a man to watch the public-houses; he walks his beat, for instance, from King-street to Stephen-street, or to George-street, and he walks back again, and he watches the whole of the public-houses on that beat, and if he detects an infringement of the law, he reports it to the sergeant, because there is a sergeant armed with warrants, whose particular business it is to go through every district watching the public-houses and entering them; and if they find breaches of the law it is reported to the Commissioner of Police, who orders a summons to take place. Those sergeants instead of making one case would make a dozen. That is where it would increase their duty.

671. Then excluding all these sergeants, who seem to have some peculiar duties, as I infer from your evidence, the police are not charged with any special duties at all connected with the licensing system in Dublin?—A policeman in Dublin is not allowed to go into a public-house except he is called in by the publican to put out a man who has had more drink than he ought to have, or to assist the publican in keeping order in his house; otherwise they are not allowed to go into a public-house at all, and if they are found in a public-house they are severely punished; and it would be undesirable to do

Mr. Meade—continued.

otherwise considering the number of years of their service and the youth of the Dublin policemen.

672. Then am I to understand that there is a special staff of sergeants authorized to look after breaches of the licensing law?—There are a certain number sold off specially for this purpose whose business it is in doing their rounds to visit the public-houses on Sundays and every day in the week.

673. Do they perform that duty in their uniform?—Yes, in their uniforms, certainly.

674. How many individuals are employed in that way?—I cannot give you the exact number for the whole district.

675. Could you give me an approximate number?—I could not. I can get you a return of them if you wish it. I came away from Dublin in a very great hurry. I am only assistant-commissioner of police, and it would be impossible for me to carry all these statistics in my mind under this examination, and I think that some allowance must be made for my speaking from memory entirely. I can give you all the information that you require.

676. At the present time there are no members of the police force employed either as detectives or in plain clothes for detecting infringements of the licensing laws?—Not that I am aware of. It was many years since that system was carried out, but the judges and magistrates expressed themselves extremely strongly on the question. The chief superintendent will be able to give you those figures with regard to the sergeants, I have no doubt.

677. Is it not a fact that one of the greatest difficulties the police have to contend with in Dublin is the detection of any infringement of the licensing law, and that the appearance of the sergeants is perfectly well known to those who are watching the public-houses, and that it is a matter of very great difficulty for the sergeants to get into any of them?—Certainly the appearance of the police uniform is spotted at the end of the street.

678. I mean the appearance of the sergeants?—The appearance of the sergeants is certainly well known, but I do not know that it has the effect of preventing their detecting anything. I should say not.

679. In your opinion, would a staff of, we will say, a dozen persons employed in plain clothes, whose appearance was unknown to the keepers of the houses, be sufficient to put down the illicit sale of drink in Dublin?—That would be a very difficult question for me to answer. I think it might be successful for a month, but not beyond that; and I think that it would be a most undesirable thing in Ireland to attempt.

680. I should like to know what are your grounds for that belief?—Because he would be looked upon as a common informer by the people. The same 12 men would be known throughout the city, and I do not think their life would be very enviable.

681. But you might change them, might you not?—You would have to change them very often. You would require to have 12 times 12, and you would have to change them every month, I should think.

682. I think you stated that there is a great difficulty in the way of the police putting an end

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to illicit drinking in consequence of a want of power; do you happen to be acquainted with the power of imposing penalties conferred by the different Acts of Parliament?—You mistake me when I said for want of power. I said that I did not think that the police could get more power to suppress unlicensed houses, but that I recommended imprisonment to take place on conviction. I do not know that we could receive any further power.

683. Your complaint is that the magistrates do not really do their duty?—I decline to make any complaint against the magistrates. He has not the power, I believe, to imprison without the option of a fine, for unlicensed sale; but I really am no lawyer, and know very little about the Acts. Sometimes the law officer is applied for to prosecute in difficult cases before the magistrates.

684. As a rule, in the discharge of the duties of the police, who give the police directions as to making inquiries?—Sir Henry Lake, the Chief Commissioner of Police. I am the Assistant Commissioner of Police. Sir Henry Lake does all the public-house business. I, in his absence, as Assistant Commissioner of Police, have to do it. A case is reported by the sergeant that on a certain day, at a certain hour, he entered a public-house, and found persons drinking inside, and that he was in uniform, and informed the owner that he would report the case. I see, then, that there is a *prima facie* case; one that I think ought to be tried before the magistrate, and I then direct a summons to be issued: it then goes before the magistrate, and I have no further to do with it.

685. How can you give them directions if you do not know the provisions of the law that apply to the case?—I know the provisions of the law; that it is a breach of the law to be found in a public-house drinking before the proper hour. I am told that a man is found drinking in it, and that the sergeant is prepared to swear that he found him drinking in it. I consider, then, that I have discharged my duty, and leave the magistrate to decide upon it.

686. Under the 3rd section of the Act of 1874, is it not a fact that for the first offence for selling, or exposing for sale, drink in unlicensed premises, the fine is 50 £, or, at the discretion of the magistrates, one month's imprisonment?—Yes, for exposing for sale.

687. May I ask, is not the only difficulty in the way that the section of the Act of 1879 omits providing a penalty for keeping for sale?—Yes.

688. But under that section, for the first conviction, they can inflict a fine of 50 £ for selling or exposing for sale?—Yes.

689. For the second offence a fine of 100 £, or three months' imprisonment; and for the third there is a fine of 200 £, or six months' imprisonment, with hard labour in both instances?—Yes, that is just the difference; the "or" is the difference.

690. It gives discretion to the magistrates to fine or imprison?—Yes.

691. What fuller power could you possibly ask for?—I say that an unlicensed person should be imprisoned without the option of a fine.

692. Then it is a default on the part of the magistrate in carrying out this law, and not the law itself?—If the magistrate chooses he can

Mr. Meldon—continued.

give imprisonment. I am not a divisional magistrate, so I cannot give an opinion; but perhaps the magistrates may have very good reasons for not committing, and for choosing the milder course of fining, and if his opinions are so I cannot alter them.

693. Under the Act of 1854 there is a penalty for selling, keeping for sale, or exposing for sale, 5 £, or one month's imprisonment for the first offence, and 10 £ or two months' imprisonment for the second offence?—Yes.

694. May I ask you, are there many prosecutions by the police sergeants under that section, and if not, why not?—I must again say that I am unable to give you statistics about it, but I should think that all the cases that have been made against unlicensed houses up to within the last four months, have been under the "keeping."

695. It is much more easy to secure a conviction for keeping for sale than for either of the other two things, is it not?—Yes, there is very great difficulty in proving the exposing and the absolute sale. To prove a sale in unlicensed houses is almost impossible.

696. Under the third section of the 17th and 18th of Victoria the penalty for selling, or keeping for sale, or exposing for sale, is only 2 £ for the first offence, and 5 £ for the others, are you aware of that?—Yes.

697. Is it not a fact that most of the prosecutions take place under that section, because under it the evidence is not required to be so strong as under the other sections?—That is for keeping; any further I cannot say.

698. Is it not a fact that the greater majority of the prosecutions by the police are under that third section, and not under either of the other two sections to which I have called your attention?—I think that is the fact, but I cannot speak with certainty, because I have not got the statistics.

699. But is it not a fact the penalty which the police go for generally is the 2 £?—Yes, because we are unable to prove sale, or exposing for sale.

700. But it is not necessary under the second section to prove exposing for sale, because that section also makes "keeping for sale" an offence; why do they not proceed under that section, can you tell me?—I cannot tell.

701. Will the superintendent be able?—I dare say he will be able; he has been much longer in the service than I have been. In some of those cases we generally have the benefit of the advice of the law officers of the Crown.

702. I understand that one of the points which you made in your examination the other day was, that the penalty provided by the Act is so small that they do not care how often it is inflicted?—So we found it, and as a matter of fact they have said so themselves.

703. I understand you to say that, in your opinion, the better way of dealing with drunkenness would be to try to wear the people off the drink by shortening the hours?—Yes.

704. That applies, of course, to Dublin?—That applies to Dublin entirely. I am only speaking for Dublin.

705. It would equally apply, would it not, to any other part of the country?—It would apply to the world at large. The more you can get men to reform the better.

706. I understood

Mr. Mellis—continued.

706. I understood you also to say that drunkenness was not caused in Ireland so much by the wish for drink, as that they drank for the sake of companionship?—I think so.

707. If that is so, and your opinion is that it is not for the sake of the want of drink that people drink, why would not it be judicious to cut off the temptation of drinking for companionship in the city of Dublin, more, in fact, than in any other places?—Because I think that it is very hard for people to be allowed to drink a glass of beer for six days in the week, and not to drink it on Sunday.

708. I understood you to say that it is not the want of drink, but that it is rather for the sake of companionship that the people drink?—When I say that it is for companionship, I do say they would drink without the companionship. A man drinks a pint of sherry at dinner, although he may dine by himself, but he may drink a great deal more if he has a party.

709. Is it not the fact that most drunkards commence drinking for the sake of companionship, rather than for any other reason?—I do say that they commence by drinking for companionship, and a few of them end by drinking too much.

710. If you remove the temptation of companionship out of their way, that would seriously diminish the crime of drunkenness and the number of drunkards?—If you remove wine or liquor altogether you must decrease it, but I do not see why you should totally deprive a man of the moderate use of liquor on one day of the week on the score that a few people abuse it.

711. Is it true that the Dublin police contain men of very great intelligence and ability in considerable numbers?—I do not think you are wrong; I think that the police of Dublin are as well-intentioned men as you will find in the world.

712. And men of intelligence and ability?—Certainly there are men of great intelligence in the Dublin Metropolitan Police, but it takes time to educate a policeman. We recruit our men from the different counties in Ireland, and if you take men that are only educated, and some of them not very well educated, at a national school; they can read and write, but it requires a great deal of time to instruct them, educate them to the great responsibility that rests upon a policeman. I consider it a difficult thing to educate a policeman in every way so as to keep himself and the Government from any excess of his duties.

713. I understood you to admit that it would be in your power, with a competent staff, probably to stop the sale of illicit drinking almost altogether in Dublin, and that the men that you have under your command are sufficiently able to do that?—I never said that; I said that there would be very great difficulty without further powers, or rather the further punishment that I advocated for an unlicensed house. I think it would be almost impossible to suppress it with the present amount of staff.

714. So that with an additional staff and further powers, with the men at your command, you would be able to stop it altogether?—I do not think it would be possible to stop illicit trading altogether by any additional staff unless there were a severer punishment put upon a conviction

Q.39.

Mr. Mellis—continued.

for unlicensed sale. The difficulty that we have is the entry into an unlicensed house and finding liquor exposed and on sale. It is easier to find the keeping. The only means we have of getting into the house now is by a policeman, in an unguarded moment, finding the door open, and going in and there making a case, otherwise we would be trespassers in the house.

715. May I ask you, is it not in the power of the police to obtain a warrant that would run for three months in the name of any constable of the force for certain premises?—Yes, it is possible, but I do not say that it is possible to obtain a warrant without naming the premises, because a warrant is granted upon the information of a policeman, and then that warrant is in force for a time.

716. Is not that as large a power as you could possibly ask for, namely, to authorise any man in the force at any time that he likes to enter into premises and search them?—Yes, it is a sufficient power. I do not ask for any more, but the difficulty is this, that in an unlicensed house they put men to watch at each end of the street, and the moment that the sergeant appears the signal is given, and he may enter the house and find nothing.

717. What would be the difficulty of sending a strange man in plain clothes who never was in that part of the city before?—I have already stated my objection to a policeman being placed in plain clothes to detect any such crime, and I also stated, when you advocated 12 men, that you would have to change them in a very short time, they would be looked upon as informers.

718. Do you mean to tell the Committee that, whilst a policeman is walking, say 50 yards or so down the street, it would be possible to remove any considerable quantity of drink, or to exclude from the house 200 or 300 people, or any large number of people?—There are never 200 or 300 people in the house at one time. There are a few people in the hall, perhaps a dozen, drinking, and then this dozen may be relieved by another dozen, and so it goes on during the day.

719. While the day the policeman was walking down the street would it be possible to remove a dozen people and just out of the way a large quantity of drink?—The people may not be removed, but the glasses and bottles may be removed, and there is no sign of drinking; nothing to satisfy the magistrates that there has been a sale, on certain evidence. The liquor is kept in the back garden, or in a room which no person occupies.

720. Have there been, to your knowledge, very extensive complaints among the citizens of Dublin against the police for the way in which they discharge their duties in Dublin with respect to the breaches of the Licensing Act?—I may say that a very great many unfounded statements have been made.

721. Is it a fact that there have been very great complaints against the police with respect to the discharge of their duties?—None that I am aware of; but by the society that made the complaints, and waited upon Sir Michael Hicks Beach.

722. Are you able to say whether there was a very great increase in the number of convictions after the denotation waited upon the

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Mr. Melson—continued.

Chief Secretary?—I am told so here to-day, but I do not know what increase there has been.

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723. Did you intend to convey to this Committee that the meetings held in the Park in favour of Sunday closing were attended by only 100, or 200, or 300, or 400, or 500 people?—I did mean to tell the Committee that.

724. Do you adhere to that statement?—Yes, I adhere to it as to what I witnessed myself, and I adhere to what was reported to me.

725. May I ask you whether any of these meetings that you attended yourself were in favour of the Sunday closing movement, and called specially for that purpose?—I have already answered that. I cannot say whether the meeting at the Mount was for that altogether, but I understood it was for general temperance purposes. I have also stated that at the only meetings that I attended it was for Sunday closing, because there was a meeting advertised to take place opposed to Sunday closing; but I did not listen to the speeches.

726. Are you aware that these meetings at the time you speak of were ordinary meetings of the Temperance Society?—So it was reported to me.

727. Could a meeting have taken place in Dublin in the Park at which upwards of 10,000 people were present, without your knowledge?—Certainly not.

728. Was there any meeting in favour of Sunday closing at which a number of that kind attended in the Park?—Not one, to my knowledge.

729. Are you aware that there were only two meetings held in 1875 and 1876 in favour of Sunday closing?—In 1875 I am aware of one, which was a meeting which the publicans thought to oppose. If that is the one you allude to, if you give me the date I will tell you whether I attended it or not.

730. Do you mean to convey to the Committee that there was no meeting in favour of Sunday closing held in the Park, at which several thousands of people attended?—I do mean to convey that there was no meeting that I attended officially, which you could call a meeting, where there was probably a thousand people.

731. In a former question I asked you, and you told me that no meeting could have taken place at which 10,000 people could have been present without your knowing it; do you mean to convey to the Committee that there was no meeting in favour of Sunday closing held in the Phoenix Park which several thousand people attended?—I do mean to convey that I know of no meeting at which 10,000 people attended.

732. You have told me that such a meeting could not have been held without your knowing it?—No such meeting has ever been reported to the Commissioners of Police, and unless it was held at night I do not know when it could take place.

733. Are you aware that there were meetings held in favour of Sunday closing at which the lowest estimate of the newspaper was, that there were several thousand present?—I am perfectly aware that the numbers put down in the newspapers were what you say; I believe that to be the case, but I believe my figures as regards the two meetings that I attended to be the true ones.

734. As to the spirit grocers, are there any of

Mr. Melson—continued.

them of a very bad, low class that give trouble to the police?—There are some of a low class, indeed a good many, and I should think that they give a good deal of trouble.

Mr. O'Shaughnessy.

735. We have heard something about the love of companionship inducing people to drink; is it your theory that if public-houses were closed, the same love of companionship would drive people to the shebeen houses to get companionship there?—Certainly.

736. And to increase the number of shebeen houses?—Yes, it would increase the number of shebeen houses.

737. Mr. Melson has asked you if you require more men on Sundays to look after the public-houses than you do on week days, and you have answered, that you do not at present?—We do not.

738. Supposing that they have this additional duty to discharge, of looking after the illicit houses that will spring up in your opinion, you would require a great many more men?—Yes, a great many more.

739. You say, I think, that you have a great number of young men in the police force?—We have a great number.

740. Do you find them as well behaved as the older men?—As a rule, I think they are somewhat better behaved than the older ones.

741. But not so well trained?—Naturally they have not the experience of the old ones.

742. Would you think it a safe thing suddenly and without any preparatory steps to rely on a force containing so many young men to carry out so decisive a measure as the entire Sunday closing?—I think it most undesirable and unsafe.

743. You think it would be undesirable because they would not be able to discharge the duty?—I think it would be very undesirable to entrust to men of only two or three years' service the power of entering into public-houses and detecting unlicensed houses.

744. We all know policemen that are as good as other men; do you not think that if they were thrown upon young men of only one or two years' standing from the country, the duty of dealing with illicit houses, no matter how well intentioned they were, there would be a danger of their being corrupted?—Undoubtedly, and a very great danger too.

745. You have conversed, have you not, with your constables and men as to their general impression and conviction of the wishes of the people on this subject of Sunday closing?—Yes.

746. Will you be kind enough to tell the Committee what you have learned from your constables as to the wishes on the subject, so far as they know them, of the lower classes, the classes that frequent public-houses, with regard to this Bill?—I am informed by the majority of my superintendents, of whom there are seven, and who are men of very long experience, and particularly by the superintendent of the detective department, that the tradespeople, the respectable classes, are opposed to total Sunday closing.

747. By the tradespeople you mean the respectable working classes, but there is another class,

Mr. O'Shaughnessy—continued.

class, there are the labouring classes and the classes which verge upon poverty, unfortunately, do not they form a very large contingent in the Dublin population?—Undoubtedly.

748. Can you form any idea from the information derived from your officers as to the feeling of those people on the subject?—I think that they would feel very much aggrieved if all houses of refreshment were totally closed against them on Sunday.

749. But you do not think that they would feel so aggrieved if there were a moderate closing?—No, I think they would put up with moderate closing as being for their benefit, but I think that the total closing would make them feel as if they had been dealt very unfairly by.

750. Do you think if there were a partial closing of the establishment now it would be possible, or rather that there would be some probability, of their assenting to greater restrictions, and, perhaps, finally to the entire programme of Sunday closing?—I think so. If you find that they are benefited by the limitation of hours now, and you find that you are successful, you may then proceed by degrees to obtain your object, if that object be the total closing of public-houses on Sunday.

751. I understand you to say that you are not, on principle, opposed to that object if it can be carried out with safety?—No, I am not on principle opposed to it. Nobody is more anxious than I am to do everything in my power to advance the cause of temperance, if it can be safely done.

752. And you think that it can be most safely done by gradual steps?—Quite so.

753. Unfortunately, the lower classes in Dublin are, to a very large extent, sometimes hostile and sometimes indifferent to the law, and so the authorities maintain the law?—They are unfortunately sometimes so.

754. Do not you think that that hostility would be increased by a sudden and universally restrictive legislation such as is proposed?—I think it is quite possible. I have given my opinion that I do not anticipate any serious riot, but I think the thing might take place.

755. Might there not be great exasperation between them and the police?—I think there is no doubt that it would bring the police and the people in collision, more or less, and not ameliorate the feeling between the authorities and the people.

756. We have heard something about a certain meeting in the park, and you stated that Mr. Nolan, and some members of the amnesty body went there to oppose, and intended to disturb the meeting; do you know the objects of the amnesty body?—Dreadfully.

757. Would you be astonished to hear that Mr. Nolan, of the amnesty body, went there with no friendly feeling towards the publicans, but that he was rather hostile to them?—I could not understand it, because the publicans, I think, did not advise in any way the disturbing of the temperance meeting; I think it was done on the part of Mr. Nolan alone.

758. He made no attempt to disturb the meeting, I believe?—No, not the least. There were three or four penny whistles and a drum; the whole thing was perfectly ludicrous.

759. Therefore you can only assume Mr.

0.59.

Mr. O'Shaughnessy—continued.

Nolan's intention?—I know that he was there and that he read a paper; that is all I know.

760. You have been in the army, have you not?—Yes, for many years.

761. And you have been accustomed to look at a body of men and to tell at a glance the number they consisted of?—I have seen them assembled on parade, and I have seen them on a brigade day, and I have seen them massed in divisions, and can form a pretty good guess.

762. You have the average experience of an officer?—Yes.

763. Having that experience do you still insist in regarding the number that attended the meetings that you saw, as not exceeding about 1,000?—Yes, certainly, the one on the Mount distinctly; but I should like to make this distinction, that the place where the meeting is held is the place which is most frequented by people who go to the Park; it is not 50 yards from the road down into the hollow where the meeting was held; I take the meeting to be the people who stood close to the platform listening to the speeches; I do not take the number of people who were walking up the road, and round by the Constabulary Barracks towards the Zoological Gardens, as belonging to the meeting, but I take the mass that were listening to the speeches that were made, and this I adhere to.

764. Of the thousands who attended on each of those occasions, was there a large proportion of the labouring or lower section of the lower class?—There were a mixture I should say, about half-and-half.

765. With regard to Clontarf and that district generally, that side of Dublin which is not within the metropolitan district, is that better or worse supplied with constabulary than the other side; I mean Rathmines, and so on?—There are very few; I really do not know how many constables there are, but in the ordinary constabulary barracks at Clontarf, I should not say there were more than six or seven constables.

766. Is there as good an organisation on that side of Dublin as there is on the south side of Dublin, so far as refreshing the shebeen trade, and enforcing legislation is concerned?—That would be a reflection upon the Royal Irish Constabulary, which I should not think of making.

767. I do not mean in point of quality, but I mean in point of quantity?—Certainly, I think it would be better, because our men are more manned, but of course the others would have a much more extensive district to look after.

768. How does the system of opening only from two o'clock to seven, work in your rural districts?—I have heard no complaint upon that score; the principal rural districts that we have are only four; Blackrock, Rathmines, and one of those, I think, is the one I alluded to as the place where there were very few of the lower orders, but principally inhabited by the higher orders of Dublin, therefore that would be one of the best places.

769. Do you know Rathfriland?—Yes.

770. How does it work there?—That is the place I alluded to; Rathfriland is within the constabulary district; it is just a little beyond the metropolitan district outside.

771. Supposing you were to close altogether the public-houses in what we will call the rural districts

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Mr. O'Shaughnessy—continued.

districts on Sunday, do not you think it would have the effect of preventing excursionists from leaving Dublin, and visiting those districts?—Undoubtedly it would.

772. Do not you think it would have the effect of preventing than seeking rational enjoyment in the country?—Decidedly.

773. Do not you think it would also have the effect of giving greater inducement to them to seek companionship in the shabby houses in Dublin?—Yes, decidedly.

774. There was something said about the market hours in Penrhyke township and other parts of Dublin; you say that from what you hear and from what you have seen, marketing goes on up to 8, 9, and very often in the city parts up to 11 o'clock?—I believe it goes on to a very late hour. I have seen it in the city, and I believe it goes on in Penrhyke township till 9 or 10, or perhaps 11 o'clock.

775. But as a rule, might not the marketing for the artisans and labourers, and persons of that class who are discharged from business on Saturday evenings, be over long before 8 or 9 o'clock?—Yes; I think that they always close at 6 o'clock in the evening in the workshops, and they are all discharged long before. Many of them are discharged in the middle of the day.

776. Therefore it would be really no inconvenience beyond the change of habit, which very little time would effect, to compel those people by early closing on Saturday to do their marketing by 8 or 9 o'clock?—That was my idea.

777. You think that the closing of the public-houses at, say 8 o'clock on Saturday, would considerably diminish the drunkenness on Saturday evening?—That is what I hope it will do, if passed.

778. Do you think it would have any effect upon the drinking on Sunday?—So far, that if a man is drunk over-night he wants liquor on the Sunday morning; and in that way I think it would have an effect upon it.

779. Do you attach great importance to early closing on Saturday evening?—I attach the greatest importance to it. I think that it would have a very beneficial effect.

780. Is that the opinion, too, of the men serving in your force?—So far as I have consulted them they all agree with me that it would be so.

781. And they regard it as more important than total closing on Sundays?—They are all opposed to total closing on Sundays, but they advocate the earlier closing on Saturdays.

782. Of course the more police you had on the Sunday, if that duty particularly were now cast upon them, the better?—Certainly.

783. Is it necessary to have policemen stationed at the door of every place of worship in Dublin?—I think that they are wholly unnecessary, and I have never known an instance where they have interfered in any way.

784. If the matter is brought before your department, it would be a point to consider whether it is necessary to cast such a slur on the inhabitants of Dublin as to put those policemen outside the churches?—Yes; I never saw it done in any other country. I have been over the greater part of the world, and I have never seen it done anywhere else.

785. You think that the ordinary policemen would be sufficient?—Yes, certainly, to any extent.

Mr. Murphy.

786. The honourable Member for Derry asked you whether the enumeration which you made of the numbers frequenting public-houses on Sundays, as indicated in the return, did not show a number equivalent to more than half of the adult population of Dublin: that is premising, is it not, that each person that went into a house was a separate person?—Yes.

787. But it does not show that, if you take into account the fact that one person visited a place three or four times, which would show a different result?—No, certainly not.

788. Do not the returns that you have also produced show us that whilst a very large number frequent the public-houses on Sunday in Dublin, the number of drunkards that were arrested for being drunk or incapable was fewer on those Sundays than on other days in the week?—Certainly.

789. Therefore the natural inference would be that the people are accustomed to use those houses for their ordinary refreshment, and that although a greater number of people go there than on other days in the week, the excess of drinking is less upon Sundays?—Decidedly, because I think they are frequented by the more respectable class who use liquor in moderation.

790. Therefore it is almost unnecessary to ask you the question whether you do not think that an undue interference with general convenience is not warranted on the chance of diminishing drunkenness in the few?—I do not think it would be warranted.

791. Are you prepared to say, relatively speaking, whether the inconvenience of total closing in other urban populations, say of 10,000 or 20,000 inhabitants, as well as Dublin, would be about the same?—In the large towns in Ireland, such as Limerick, Cork, and even Dundalk, I should think the same inconvenience would be felt by the people, relatively speaking, compared with Dublin.

792. You say that the inconvenience would be felt, relatively, in towns of a lesser amount of population, as it would, confessedly, in Dublin if the system were carried out?—Yes, it would. There are also some towns in Ireland with very small populations to which the closing of the public-houses would be a matter of indifference.

793. It is needless to ask you, also, that the majority of those who frequent public-houses do not desire their total closing?—I do not think they do. I might add to my former answer that the reason why I should advocate it in the small towns of Ireland and in the country is, that anything that is bad is, possibly, connected in the public-houses in the rural districts, whereas in Dublin there is no such thing.

794. You made an observation in your evidence about Westmeath, and you said that for other reasons than those which were calculated to repress intemperance, if possible, it might be desirable that public-houses should be closed on Sundays?—Yes, because they are made a rendezvous for improper purposes.

795. Would you conceive that that was a greater reason for closing them than any reason connected with intemperance?—Certainly; I allude more to that.

796. Not so much in consequence of the intemperance.

Mr. Murphy—continued.

temperance as in consequence of their being used for objects other than those intended for refreshment?—Yes, quite so.

797. Have you paid any attention to the subject of what the practical meaning of the *board side* traveller clause would be if this Bill of the honourable Member for Derry should pass, which professes to be for the total closing of public-houses on Sundays, subject to the provisions of the Act of 1874?—The *board side* traveller by Act of Parliament would disappear; everybody would be a traveller.

798. What would be the effect of that upon public-houses to which parties went from a distance of more than three miles from their sleeping place of the previous night?—It would be

Mr. Murphy—continued.

impossible for the publican to discriminate between the real traveller and the impostor.

799. Would the effect be, in other words, that the publican should virtually keep his house open as long as any person came there?—That would be the effect.

800. Would not the effect be, in other words, that he could not physically comply with the provisions of the Act, if passed, namely, to keep his house closed?—It would be impossible for him to do so.

801. In fact, the passing of the Act in its present shape, with the *board side* traveller clause applicable to it, would be an absurdity?—It would be an absurdity; the *board side* traveller would disappear. That is my opinion. I may be perfectly wrong, of course.

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Friday, 2nd March 1877.

MEMBERS PRESENT:

Sir Michael Hicks Beach.  
Lord Charles Beresford.  
Mr. Maurice Brooks.  
Mr. Bruce.  
Colonel Cote.  
Mr. Isa Hamilton.  
Mr. William Johnston.  
Mr. Law.

Mr. Charles Lewis.  
Mr. Marton.  
Mr. Meldon.  
Mr. Mulholland.  
Mr. Murphy.  
Mr. O'Shaghnessy.  
Mr. Richard Smyth.  
Mr. Sullivan.

THE RIGHT HONOURABLE SIR MICHAEL HICKS BEACH, BART., IN THE CHAIR.

Captain GEORGE TALBOT, called in; and further Examined.

Mr. Bruce.

Mr. Bruce—continued.

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802. I THINK that I may gather from the general effect of your evidence that you wish the Committee to draw a marked distinction between the use and the abuse of public-houses?—Quite so.

803. As regards the abuse, is not a public-house liable to abuse of two sorts, first those who abuse it by intemperance, and next there are those who, though not absolutely intemperate, squander their wages which should be devoted to the support of those dependent upon them?—There is no doubt of that.

804. You have given us some statistics in your evidence by which the Committee may form some judgment of the abuse, as regards intemperance, of the public-houses on Sunday; I think you have given us evidence that there were 90,500 persons seen to enter public-houses that were watched on certain Sundays which you gave us?—Yes.

805. And that the average of the arrests on Sundays and other days which also were taken by the police, were 23 on Sundays, 34 on Thursdays, and 70 on Saturdays?—I did not make an average, but I gave you a return Sunday by Sunday, and so on; as you have taken it, no doubt that is quite correct.

806. Have you got any figures which would enable the Committee to know the number of persons who frequent public-houses on Thursdays and on Sundays; you have given them to us on Sundays, has the police made any observations of the number of persons who enter public-houses on Thursdays and Saturdays?—No enumeration to my knowledge was taken of those days; I may add that the enumeration is extremely difficult on those days for marketing purposes; if it was taken on Saturdays I think it would be almost impossible to enumerate them, considering the number of houses that there would be to be watched.

807. Would you venture to give any opinion of your own upon the subject, whether the numbers that enter public-houses on Saturdays

are greater or less than those that enter them on Sundays?—I could not form an opinion. On the one hand the people are idle on the Sunday, and have their own time; on the other hand, they have a great deal more business to do on Saturday, after their wages are paid, and I should think that it might be about equal.

808. I suppose that the great majority of those who frequent the public-houses belong to the class who receive weekly wages?—Yes, and also the more respectable shopmen, who frequent the higher class of public-house. There are some that are extremely good.

809. This class of shopmen, then, do not receive their wages weekly?—I do not know; I cannot speak to that. It depends on whether you are alluding to their frequenting them on the Sunday or the week-day. I am alluding to Sunday.

810. I am wishing to gain the information whether, in your opinion, the great majority of those who frequent the public-houses, whether on the Saturday or the Sunday, belong to that class who receive their wages weekly?—The great majority certainly do.

811. And those who receive their wages weekly almost invariably receive them on Saturdays, do they not?—Yes, on Saturdays.

812. Then I suppose that the temptation to squander the money which ought to be devoted to the support of those dependent on them, is greater on Saturdays, when they first receive their wages, than it would be on Sundays?—Yes, and it was for that reason that I wished to name the hour of 9 o'clock, in the hope that it might have some beneficial effect by keeping the money in their pockets.

813. Have you any idea whether the public-houses are used on Sundays as clubs; I mean, do many persons go into them not so much for the purpose of drink as for the purpose of society?—I cannot say that of my own knowledge, but I know that there are some very respectable public-houses, very well fitted-up, and I have no doubt, and I have been informed, that on Sundays the young



Mr. Bruce—continued.

young men of the commercial class frequent those public-houses at 2 o'clock in the day, before they take their afternoon's walk. They may be looked upon as in the nature and description of a club.

814. It has been alleged that one reason for the failure of the total closing of public-houses on Sunday as a check to intemperance is, that clubs might be formed; have you thought about that?—No, I have not given it any thought; the subject is a wide one; I confined it to the lower class of house.

815. If drinking clubs of this kind were formed for the evasion of the law for the total closing of public-houses, I suppose that it would be your duty, as a commissioner of police, to enforce the law, and prevent its evasion in this way?—I think the question you have put to me struck me for the first time as a most important one. For instance, a club might be formed, and under the pretext of a club the police would be powerless, as we know is the case with Cunningham's Club, which is a club which the Dublin sporting men frequent, and unless armed with an information to say that gambling takes place, which I need not say is perfectly impossible to get, except from a member of the club, the police would be powerless. If clubs of a similar nature, for drinking purposes, were formed throughout Dublin, I think it would be extremely dangerous.

816. As regards the total closing of public-houses on Sundays in the townships in the neighbourhood of Dublin, if they were totally closed, would not the excursionists from Dublin still be able to obtain their refreshments under the name of *board and travellers*?—Certainly; as described by the Act of Parliament, excursionists three miles from the place where they slept would, by knocking at the door, be entitled to receive refreshments; but the knocks would be so frequent, and the publicans would have such difficulty in discerning who was really a *board and traveller* and who was not, that I think it would be tantamount to the house being open the whole time.

817. I think your evidence was rather against the idea of closing public-houses totally in the townships outside the municipal boundary, but within the police boundary?—Certainly; I am as much opposed to closing them in the metropolitan district as in the city. When I alluded to the county, I alluded entirely to the counties of Ireland.

818. I am speaking of the metropolitan police district outside the municipal boundary; what is your opinion with regard to them?—I am distinctly against closing them at any earlier hour than in the city.

819. And the reason you gave, I think, was that the excursionists would be very much disappointed and inconvenienced if they did not get their refreshments there?—Certainly. Will you allow me to mention one fact which applies to your last question. In the district of Terenure one side of the street is in Terenure, and the other side is in Rathmines. The public-house at Terenure closes at 7 o'clock, and the one in Rathmines closes at 9, although it is only the opposite side of the street; so that a man, in order to get drunk, has only to go from one to the other if he chooses. The same anomaly takes place in Kilmarnock, where one public-house is in Kilmarnock and the other inside the city boundary.

820. I suppose that the same anomaly would take place in places where the metropolitan police

Mr. Bruce—continued.

district boundary runs through a village?—Yes, if there is one part of it on the boundary, as for instance, the villages of Milltown and Clonsilla; Milltown is on the metropolitan side, Clonsilla outside the boundary.

821. Part of it is outside the police district and part of it is within?—There is not a hundred yards between the two villages.

822. As to the effect of the total closing of public-houses in the police district in Clonsilla, the public house inside the boundary would be totally closed, and the one outside the boundary would also be totally closed?—Yes.

823. And that would do away with the anomaly you speak of?—Yes; I should close them all at the same hour.

824. But the inconvenience that you speak of excursionists being subject to by the total closing in those townships, would not be experienced if they could get their refreshments as *board and travellers*?—No, not if they could get their refreshments as *board and travellers*.

825. And it is your opinion that they would get it as *board and travellers*?—I cannot say that they would; that depends entirely upon the owner of the house. If he opens and believes them to be *board and travellers*, he gives them refreshments; but if he chooses to shut his house, and refuses to open the door, I do not see how they are to get it.

826. You spoke about the time for paying wages, that owing to the time that the wages were paid, refreshment houses were kept open very late on Saturday nights?—I do not think I mentioned it; but it was mentioned. What I stated, I think, as well as I remember, was that the early closing and the early payment would be likely to follow, but I have no means of knowing what time the wages are paid to the artisan in Dublin, having no connection with them.

827. I suppose the week's wages includes the Saturday, and therefore they would not be paid until the close of the day's work on Saturday?—No; I should think that they ought certainly to be paid before 6 o'clock; there are many shops and houses of business which close earlier on that day.

828. In your evidence about the meetings that you saw in the Phoenix Park, you spoke of the comparatively small attendance at those meetings?—Yes; I spoke of those that I witnessed myself, and then I spoke of the numbers that had been reported to me by others.

829. Have you been a witness of public meetings at the Phoenix Park for other purposes besides the subject of Sunday drinking or intemperance?—No; I am happy to say that I was not in the Phoenix Park in 1870; but I have attended at wrestling matches on several Sundays, that took place last year, and I had an opportunity of seeing the numbers that were there.

830. Were there great numbers of people there then?—Yes, great numbers.

831. You are acquainted with Wexford, are you not?—I used to be acquainted with Wexford very well; latterly, since my official business, I am very seldom there.

832. Are you aware that in the diocese of Ferns, in Wexford, the total closing of public-houses on Sundays has been in force voluntarily for some time?—Yes; I have heard of it.

833. Does not that seem to betoken a unanimous wish on the part of the population that total closing should be applied to that part of the country?

Captain  
Tillot.  
—  
1 March  
1877.

Captain  
Tillot.  
—  
a March  
1877.

Mr. Brown—continued.

country?—That is a question which is very difficult for me to answer; I can only tell you that I believe that if the Bishop of Ferns chose to do it, it would be done, and not a word would be said against it.

834. But it has been done, as a matter of fact?—Yes, it has been done, I believe.

835. Have you ever heard, or are you aware, that any dissatisfaction or discontent has been expressed on account of it?—I have never taken any trouble to inquire into it; I know that there is plenty of whisky in Wexford; in visiting my tenants I saw it. They are very comfortable always, and they have no recourse to the public-house; they have refreshments at home.

836. If there was a wish, practically unanimous on the part of the community, to close the public houses on Sundays, you would be inclined to agree to it?—There can be no doubt about that, whatever the wish of the people of Ireland on this subject is, it must be, I should think.

837. Is one reason why you think that this should not be applied to Dublin and large towns like that, that you are not convinced that it is a unanimous wish on the part of the population?—I do not agree with you, notwithstanding the meetings, that it is the unanimous wish of the population; I am not aware of it; I know that there were petitions going about Dublin to be signed by those who were in favour of it; and I know that there were also petitions going about for those who were against it; they came to my house, and I refused to sign either, or to express any opinion on the subject. There are one or two questions in my last evidence which I should like to explain, and they are of such a nature that it would be impossible for me to alter them in my proof without letting the Committee see the details; perhaps the Committee would be so good as to say whether I should do so now or at the close of my evidence.

Chairman.

838. Perhaps you had better do so now, and will you refer to the number of the questions?—I was asked a question, 360, about the detail of the police. The morning state varies every day by about six or seven, either more or less available for duty. No. 402 also was not the same subject, and I said that I would send in a return as to that. I find that the total number of available men are seven superintendents and 1,111 officers and constables; I separate the superintendents, because they have the general supervision of the whole. I was asked about the number that held warrants to visit all houses, public-houses and others, and I stated that the sergeants in walking their beat watched those public-houses. I was asked the question, how many sergeants held that description of warrant, and I find that all the inspectors, acting inspectors, sergeants and acting sergeants, have warrants, and are entitled and ordered to visit those public-houses, and detect any infraction of the law. That would make altogether of this class of officer, 231. In 1874 I believe a law was passed, by which every constable is empowered to visit a licensed house; but for reasons as to which I have already been asked by Members of the Committee whether it would be advisable to let a young constable do so, we do not allow or encourage a young constable of two or three years standing to go into a public-house, but we

Chairman—continued.

use every effort to superintend the work of those 231 officers and at the end of the month or quarter, we see the number of cases made by each, and if we find that he has not been diligent in the neighbourhood, we generally send him to some other neighbourhood, where he will perhaps do better. Of those 1,111, we have only available for duty, 954; the remainder, I mean the complement, making up from 954 to 1,111, are employed in several departments, such as the Veterinary or Cattle Plague Departments, the guards for each barrack, reserve men for each barrack, the Courts of Law, the Sanitary Department, the Hackney Carriage Department, the Commissioners' Offices, and the instruction of recruits at the depot, besides the conveyance of prisoners in vans. When I speak of the four courts and the magistrates' offices, I say that when the law courts are not sitting, when the term is not, the after sittings go on; then the Recorder is at session; and then there are two licensing sessions; and, in point of fact, throughout the year, there are the same number, 954, available on the Sunday as on the week days.

Mr. Law.

839. Are any of the constables off duty entirely on Sunday?—Yes, there are a few, about eight; they are included in that, the law court clerks and others.

Chairman.

840. Will you put in a return of the numbers that are employed on Sundays, at their various duties?—Yes, I will send in a return, if the Committee wish it, specially for Sunday. Then I was asked at Questions 494 and 505, about my opinion as to what would occur in Dublin if total closing took place; whether I apprehended any riot. After the unfortunate meeting in the Park in 1870, the amnesty meeting, when what were called the Park riots at the Wellington Monument occurred, there was a very ill feeling showed to the police, and numbers up to the year 1875, and even up to last year, have been assaulted constantly in the streets at night of the D division and A division. The consequence was, that the men, for their protection, had to be doubled. Latterly a much better feeling has existed between the people and the police, and we have only had a few assaults upon the men. But last year two of the men were severely injured, and their lives endangered from assault; the offenders were sentenced to long periods of imprisonment by the judges at the commission, and the judges expressed themselves very strongly upon the case. The D and the A division are principally inhabited by the lower and rougher part of the people, and completely out of the way of any assistance from the respectable portions who would lend the police a helping hand. If, as I stated, riots or rows took place at public-houses on Sundays in that neighbourhood, I am of opinion that assaults upon the police would follow, and it would be absolutely necessary for their protection to double them upon their beats at night. Besides, any ill-feeling between the police and this class of people would lead to, I think, very unhappy results. We are at present perfectly free from burglaries; if we were to have an inundation of ticket-of-leave men or burglars, whom we generally detect coming over, in time they would be always on the watch for the police, and they would seize

*Chairman*—continued.

seize their opportunity when they found that the respectable portions of the city were obliged to be stripped of their men, in order to protect the others upon their beats in that neighbourhood. And then the inhabitants of that locality would feel greatly the want of protection. That was the explanation which I wished to give.

841. Do you mean that, in your opinion, the total closing of the public-houses in Dublin by Parliament would cause a similar ill-feeling against the Dublin Metropolitan Police, which you stated was caused by the riots in the Phoenix Park?—No; I mean to say this, that if you close the public-houses in the D division and the A division, and riots occur at a public-house and the police intervene, and have to turn them out of the public-house; if they have to act against those riots, then an ill-feeling will commence in the people against the policemen, and they consequently will be assaulted.

842. You think that the law will be felt to be stringent, and therefore in enforcement by the police would be unpopular?—Most decidedly; if we are to put the law in force where the rougher class of people are, they will naturally dislike those who put it in force, and will assault them. Two of our men were nearly disabled in the assaults I referred to, and it entailed a pension for life.

*Mr. Dixon*

843. Don you mean that if the public-houses were closed on Sunday throughs would try to force an entrance into them to get liquor?—I cannot be responsible for what would occur; but I say, if in those neighbourhoods which are extremely rough, they were to force people out of a public-house and a row ensued, there would be an ill-feeling on the part of the people against the police.

*Mr. Richard Smyth*.

844. You spoke, I think, about burglars frequenting those districts?—No, I did not say those districts; I said that they come over from England, and we always know of their arrival.

*Chairman*.

845. What have you to say with regard to the Strawberry Beds?—As to the Strawberry Beds, I was going to say that I believe firmly that there would be very serious affairs on the Sunday, if, when the young men went out to the Strawberry Beds with their friends in thousands, they found the two public-houses closed against them.

846. How many public-houses are there?—It is in the constabulary district, and I really cannot speak as to that; I think there may be three or four in the immediate neighbourhood of the Strawberry Beds.

*Mr. Richard Smyth*.

847. In your reply to me on Tuesday, when I asked you whether you apprehended any riot in the city of Dublin, provided Sunday closing took effect there, you distinctly stated that you did not apprehend any riots, that the people are orderly people, and that you did not think there would be any riots; then you go on to say that, in the rougher parts of the city, around the public-houses, there might be some rows, but no rows that the police would not be able to deal with; and then the next question was, nothing serious

059.

*Mr. Richard Smyth*—continued.

would happen, and you distinctly stated "no." You have to-day given evidence very different from that, and I want to ask you this question: whether, if you return to give evidence on a future day, it is possible that you might return to the evidence which you gave on Tuesday?—I do not think that the evidence I gave now is at all inconsistent, but perfectly consistent with what I gave the other day. I said that riots would not take place, and I am of opinion that riots will not take place; I said that there might be rows around the public-houses, and I am of opinion that there will be rows around the public-houses, for the purpose of getting liquor; but I say, in explanation of that also, that the police can put down those; but I mean to say that the putting them down will engender an ill-feeling between the police and the people, and assaults will arise out of it, which may lead afterwards to serious consequences and the injury of our men.

848. What I want to call your attention to is this; when you were asked whether you thought that anything serious would happen, you simply answered "No?"—If I find that I make a mistake in any answer that I give to-day, am I ever at liberty to correct it, or am I to leave the Committee in total ignorance, and under a wrong impression as to what my evidence is.

*Mr. Maurice Brooks*.

849. I understand that you did not apprehend that there would be any riots like the breaking of Hyde Park railings?—Certainly not; I was only speaking about the effect of stripping other portions of the city of the police, and I wanted to avoid any ill feelings between the police and the people.

*Chairman*.

850. Will you proceed with any other points which you wish to add to your evidence already given, or to correct it?—I have no other point to go upon, except that I wish to mention the number of cases made against publicans in 1874, 1875, and 1876. If you wish me to give those figures I will give them. In 1874 there were 215 cases made against public-houses, 279 against spirit grocers, 250 against beer-dealers, and 151 against unlicensed houses, making a total of 895; and the amount of fines inflicted that year was 1,074*l*. In 1875 there were 215 cases made against publicans, 272 against spirit grocers, 152 against beer-dealers, and 198 against unlicensed houses, making a total of 837; and the total amount of fines inflicted in 1875 was 976*l*. In 1876 the number of cases against publicans was 147, against spirit grocers 285, against beer-dealers 107, and against unlicensed houses 296, making a total of 835; and the amount of penalties inflicted in 1876 was 1,466*l*. I may also say that there were about 47 spirit grocers and 20 retail beer-dealers, that is 67 in all, suppressed by the police during the year 1876; that is to say, they did not obtain their licences at the Revision Sessions in October on account of evidence given as to bad character; so that you have had 67 less houses where spirits were sold from October 1876.

*Mr. William Johnston*.

851. You mentioned in your evidence on the last day, that on a market-day, coming home from Wexford, you had seen more drunken men than in Dublin on one day?—Yes, than I had seen in Dublin.

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Captn.  
Zoult.  
2 March  
1877.

Captain  
Talbot.  
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a March  
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Mr. William Johnston—continued.

Dublin. I mentioned that, but I qualified it by saying that it was years ago.

852. Were you ever in Wexford on a Sunday?—Many a Sunday, but it was years ago. I do not know when total closing took place in Wexford.

853. Have you read the evidence given by Mr. Ryan, the resident magistrate, before the Select Committee on the sale of liquors on Sunday in 1868?—I did not read Mr. Ryan's evidence.

854. You are not aware that he said, that since he had been in Wexford he had never seen a drunken man on Sundays?—I am not aware of that.

855. You are aware, are you not, that total closing prevails in Wexford?—Yes; I am aware of that.

856. You are not, then, aware, if you have not read this evidence, that Mr. Ryan states that; and also that it is the opinion of Mr. O'Donnell, the resident magistrate at Belfast, that it would be sufficient to keep the public-houses open for one hour on Sundays; is that your opinion?—Certainly not; since I advocated the opening from 2 to 7 or 8 o'clock, that would not be my opinion, nor is it.

857. Do you think that if licensed houses were closed on Sundays you would have sufficient police to watch the unlicensed houses?—I can say no more than that the same men are on duty on Sunday that are on duty on week day; I have detailed how many are on the streets, and of course they will watch the public-houses on Sundays as well as on Mondays.

858. About how many policemen are occupied at the doors of places of public worship?—There is a policeman at the door of every Protestant Church and Roman Catholic Church, and Presbyterian Church, and sometimes where there are two churches near together, one policeman does for both.

859. They do not watch public-houses on Sundays specially, do they?—No, certainly not; the men on church duty are assisted by the troop dismounted, and also by clerks and a few other men employed during the week on other duties.

860. Do you think that there is as much necessity for watching churches as there would be for watching public-houses?—I have already stated that I did not see what necessity there was to have a policeman at every church; I never see them called upon for any purpose. Perhaps I may be allowed to say what I omitted to state at the moment, but what occurred to me after I left the Committee-room, that policemen might be necessary at the churches sometimes, particularly in the band season, in order to stop the band from disturbing the congregation; that would be the only reason that I see.

861. Do you think that if you took the police away from the churches on Sunday you would have enough to watch the public-houses?—I do not think so; I do not think that it would make the slightest difference taking the policemen away from the churches to watch the public-houses; as I have stated, it is not that class of policemen that are employed in watching public-houses.

862. In the interest of the working classes in Dublin you would wish to keep the public-houses open during certain hours on Sunday?—I have already stated my reasons for keeping them

Mr. William Johnston—continued.

open from 2 to 7 o'clock, and I cannot amend it; I consider that they ought to be open for the convenience of the people, and I can say no more.

863. I have received a communication from the Amalgamated Society of Engineers, Machinists, Millwrights, Smiths, and Pattern Makers at Belfast, in which society the following resolutions were passed: "That inasmuch as the Licensed Victuallers are practically opposed to the shortening of the hours of labour by their keeping open their houses for trade on Sundays, we refuse to receive any deputation representing such views, and that we, as a branch, declare in favour of the Sunday Closing Bill, without any of the proposed amendments; and that our Secretary be instructed to forward these views to our representative, Mr. Johnston, to place them before the Select Committee of the House of Commons;" do you believe that the engineers, machinists, and others of Dublin, of the same class, would hold the same views about Sunday closing?—I cannot speak for the trade; I have already said that I do not know them.

Mr. Sullivan.

864. Do you now think that anything serious would happen in the way of disorder in Dublin, if the Sunday Closing Bill were passed?—The only answer I can give to that is, that I do not anticipate rioting or any serious brookings of the peace, beyond the brawls that may take place around the public-houses in the lower parts of the city, as I have described already, I think, twice to-day.

865. Upon what actual facts or occurrences within your experience is that thought or conjecture based?—The public-houses have not been closed on Sunday, and the men have had facilities of getting their liquor, and the occasion has not arisen, so that I could not form an opinion upon a fact that has not occurred.

866. Then that opinion is based upon no fact within your experience or knowledge?—That opinion is not based on any fact, because the cause that would give rise to the fact has not arisen.

867. Then it is purely a conjecture, without any foundation on actual occurrence?—It is an opinion of mine of what might take place.

868. Have any facts or occurrences taken place to your knowledge at all in the direction of early closing in Ireland; have you had any experience as a magistrate or as a commissioner of police, of facts or occurrences which took place on the application of repressive laws against keeping open public-houses?—I am not aware of any.

869. Have the hours of trading been interfered with or shortened at all by law, within your experience as a magistrate in Ireland?—Certainly they have.

870. But as a matter of fact, what evidence can you give the Committee as to your experience of the result of that amount of repressive legislation; did riot or injury ensue?—No.

871. Were the police at that time brought into this bitter relation with the people which you now apprehend?—No, because the total closing did not take place, and the men had several hours to get what they required in the way of refreshment. I founded my opinion upon what I thought would take place if they were totally deterred on Sundays.

872. That being purely a speculative opinion, and not based upon fact, the amount of fact at all within

Mr. Sullivan—continued.

which your command is only as relates to the cutting down of the hours?—The amount of fact still remains, that they are open from 2 till 9 o'clock.

873. I mean to say that you have actual experience of what has taken place as to the cutting down of some of the hours?—Yes, certainly, and I advocate still the cutting down of the hours.

874. Your experience of what has taken place in the direction of lessening Sunday trading in liquor, is all against the idea of riot or of disturbance of any kind?—No disturbance has taken place: the evidence speaks for itself.

875. Then, is an actual fact, your evidence as to that is based on the facts of experience, and not on mere conjecture?—Certainly; it did not require my answer to know that it is a fact.

876. You have not yourself any strong desire or bias one way or another upon this matter as a commissioner of police?—Not the slightest of any description. I confine my duties entirely to the police duty, and for the good of the public, whether it be for good or for bad.

877. Then, having never had experience of total closing on Sunday as a police commissioner, or as an officer on the police establishment, you would be able, would you not, to give more valuable evidence as to facts, if you had been a police officer, where Sunday closing had been carried out?—There cannot be any doubt about that.

878. If it were possible that we could find in Ireland, or anywhere else, a commissioner or an official who has had such experience, would not his evidence of those facts be weightier, in your opinion, than any mere conjecture?—Most decidedly. I deem my evidence may be worth nothing at all, but his experience would be very much greater, and more valuable no doubt.

879. You told us, did you not, that the law as at present in your hand, for the purpose of doing your best, was insufficient?—I said I thought so.

880. Are you aware whether Colonel Lake is of opinion that the present laws are so insufficient?—That I cannot say; I have had no conversation with him on the subject.

881. Did you, or to your knowledge did he, ever intimate to the Government the insufficiency of the laws put into your hand to administer upon this point?—I am not aware. I confine myself to my particular duties in the department, which is out of doors, in training the men and in their instruction. I do not meddle in any way with the senior department of the office, which is political and legal, and therefore I cannot answer many of the legal questions which you have put to me.

882. You cannot say that your department ever represented that to the Government?—I am not aware one way or the other. Possibly they did.

883. Do the police find that they have a good deal of trouble in looking after the drink trade in Dublin?—I cannot say; I have not asked them their opinion about it. I have told you already that the public-house business is done by Sir Henry Lake, and not by me, and that in his absence alone I have looked over the public-house book; but I know this, that I see the returns of the public-houses made by each sergeant, and I am entrusted with the discipline of the force, and sometimes if I find that a sergeant does not do very well in one district I send him to

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Mr. Sullivan—continued.

another; but I cannot give you at present my returns upon that subject. Naturally they do not complain to me of their hard work.

884. The police of Dublin would not have their work increased upon them, would they?—I suppose no man does; it would not entail more work upon me.

885. Can you say whether, according to your knowledge officially, the superior officers of the police who apprehend increased trouble are not determined anti-Sunday closure?—I did say that I ascertained the opinions of some of the inspectors and of all the superintendents, and that they were all against Sunday closing, except one man, who was the superintendent of the Bartholomew Division; it is very hard to remember all the questions that I answered.

886. As to the powers in the hands of the police, you suggested some very excellent improvements; what are the instructions to the superintendents of police in reference to the drink trade in the city; can you state them, or hand them in?—No, I cannot state them.

887. Are there any special written instructions to them?—No, there are no written instructions; from a time long before I was a commissioner all those inspectors, acting inspectors, sergeants and acting sergeants, were provided with those warrants, which I have already told you of to-day, and I believe that since 1854 every constable has the power, by virtue of his being a constable of entering the public-houses. We have lately since 1872 instructed every constable, before he is promoted to a higher class, that he must know his public-house duty; but, as I tell you, I am very slow to instruct a young constable of a year's standing, who will probably make an excess of going into a public-house to get his beer or his whiskey, and then when he comes before me for being in a public-house, with the temptation of drink, the consequences are very serious, very often resulting in dismissal; and if that were to take place I do not think that you would have a policeman left in Dublin, he after being so many times drunk he is dismissed, and as his pension follows his service, the Government will not pay a pension to a man who has been drunk several times.

888. You stated that the difficulty about requiring a warrant was the great reason why your department could not grapple with the illicit trade, that it was only when the door was found open that a policeman could get in; did I not understand you correctly to say that there are warrants to a large number always possessed by the police for that purpose?—Yes, there are; will you allow me to correct that. The warrants that I alluded to as possessed by those 231 men were warrants that were required before the passing of the Act of 1874; they were general warrants to enter all public-houses, but not unlicensed houses. An unlicensed house warrant is a different warrant; a man must ground his application for that warrant by an information upon oath that he suspects, and has reason to believe, that the illicit sale of spirits takes place in the house, and upon that those houses are mentioned in the warrant, and that warrant is a totally different warrant to the one which you allude to.

889. You object to employing men in plain clothes to detect illicit trading; are you aware that the police have successfully employed that

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Captain  
Follett  
2 March  
1877.

Captain  
Tailbot.  
8 March  
1877.

Mr. Seddons—continued.

method in Belfast; I do not say whether it is good or bad?—I am not at all aware of that.

890. I think I understood you to say, the other day, that the majority of the trades of Dublin were opposed to Sunday closing?—I stated that from the inquiries that I had made.

891. Did those who informed you tell you how many trade societies there are in Dublin?—No; but I inquired from the superintendents and the inspectors who mix amongst the people, and that was my only source of information.

892. They did not tell you, did they, that there were 52 trade societies in Dublin?—No, they did not.

893. Did they tell you that no more than 13 out of 52 were ever at any time opposed to Sunday closing?—No, they did not.

894. You thought that it would have a good effect if the hours were shortened on Saturday, if the working people, the factory hands, were paid earlier on Saturday evening?—I said I thought that there might be some improvement if the public-houses were closed at 9 o'clock, and that early payment would follow early closing.

895. As a matter of fact, are not those who are employed in nearly all the trades in Dublin paid at 2 o'clock on Saturdays?—I said I did not know at what hour they were paid. I said that I thought they ought to be paid earlier, as many of the places of business close early.

896. But you were not then aware that they are paid nearly all at 3 o'clock in the afternoon?—No, I am not aware beyond your telling me so.

897. Are you aware that the Factory Act necessitates it in the case of the large establishments?—I do not know anything about the Factory Act; I never had connection either with trade or with the Factory Act.

898. I have been asking you about the feeling of the trades; if you wish to ascertain public opinion or public feeling in Dublin, are the police the parties usually applied to, to know what public opinion is in the city?—The Government know very much better where to get their information than I do. I do not think I could answer that question. It is in the discretion of the Government to get the information where they like.

899. This is a matter within your duty, I should say; but if upon any matter within your duty you thought it wise to ascertain what was the public feeling and public opinion in the city of Dublin, how would you collect it, and how would you test it?—First of all, I never expected to be examined here, and therefore it was no part of my duty to ascertain the feeling of the people of Dublin. As I said before, I am only assistant commissioner of police, and it is no part of my business beyond what I have ascertained. I endeavoured to ascertain and make myself as well informed as I could upon the subject, in order to give information to the Committee.

900. With regard to the enumeration of public-houses which was made, the Government, I presume, directed it to be done?—The Government directed it through the Chief Commissioner.

901. Have you had any instructions to make a similar count for Saturday evening?—No. I think I have answered that already to-day, not that I am aware of. Those orders were all given to the Chief Commissioner.

902. You first of all described to the Com-

Mr. Seddons—continued.

missioner from your information, the class as a very respectable class, and then you said that they were the lower section of the middle class who were counted as going into public-houses on Sunday?—It was understood me to say that only the lower middle class were counted, you misunderstood me. I said that the large majority of the people who went into the houses, when that enumeration was taken, were of that description.

903. Is there any chance that you unintentionally exaggerated their comfortableness; are you sure that the majority of them belong to so good a class; has your information led you to assume that?—You may be quite sure that I never exaggerate anything on purpose, but to the best of my judgment I answered the question, and if you speak of my own immediate neighbourhood, the public-houses there are of a better description, and those that I have personally an opportunity of seeing when I am walking through the city, on the south side, are of a superior class, and more comfortably than those in the other parts of the city.

904. Would the majority of the people frequenting them belong to the householder or room-holder class?—I really cannot tell the exact class, they are well dressed, and they seem very comfortable.

905. Then from the same class of evidence that would cause you to say that they belonged to the lower section of the middle class, you would say that they were very respectable?—All that I can say is that they looked respectable, they were well dressed, some of the women were just as well dressed as ladies, they all of them had hats and ornaments on.

906. Supposing that in place of the Government asking Colonel Luke and you to enumerate the people who went in and went out at the doors so as to get at their desire on the subject of Sunday closing, the police had been directed to ask them the question (I am now merely supposing) at their homes, that would be a better intimation of their wish than the mere fact of their going into public-houses, would it not?—That is such a very difficult question to know whether I could rely upon it. First of all there are two things to be considered, whether I could rely upon the opinion that the policeman would give to be a true one, and then upon the opinion of the householder to whom he might put the question.

907. Supposing that he put it to them in writing, and left a paper at their doors such as the police leave the poor law guardians' papers?—I think that would entail endless labour.

908. I am not talking about labour; suppose that instead of the police counting them as they went in and went out, with the view to getting at their opinion, the Government asked the police to question them by a paper left at their houses as the police leave the poor law guardians' voting papers, would not their answers in writing, if collected by the police, be better evidence of their opinion than the fact of their going into the houses?—Oh course I could only hazard an opinion about that. If the police left a paper at each house to be signed by every individual in the house it would be so.

909. I have not said "by every individual in the house," because infants in arms could not possibly sign it; I am talking now of the class who

Mr. Sullivan—continued.

who were seen going into the public-houses, whom we have in substance identified as belonging to the house-holding class, or at least the room-keeping class; and I want to know whether if the same class of householders and room holders had the question put on paper to them, their answers would not be more decisive evidence of their wishes than the fact of their going into and out of the houses?—If the police could get the signature of every person who went into the public-house on a Sunday, it would be more satisfactory evidence of their wishes than the fact of their having gone into the house.

910. Supposing the majority of those who went into the public-houses on the Sunday to be house-holders or room keepers, the questioning on paper of all the room keepers and householders of the city would give us the opinion of that majority?—I should think that follows.

911. And if the Committee here could have put on the table before them the answers in writing of that class, mainly, the room keepers and householders in Dublin, we would have covered the majority who were enumerated by the police?—It seems to me that it is a deduction in your mind, and therefore it would hardly require an answer.

912. Do you mean by a room keeper or a householder, any man who is able to pay a shilling a week and keep a room?—There may be the head of the family who is the room keeper, and he has two or three grown-up children; I do not know whether you mean to include signatures from them.

913. I exclude all but the person who pays the rent, who owns independently the room or the house?—It would no doubt represent those, but it would not represent the feeling of the other grown-up children of the family. I only want to make my answer plain, and that it should not have the appearance of contradiction.

914. But you have already told me that the majority of those who were enumerated belonged to the householding or room-keeping class?—So far as my observation went, what I described to you was confined to the better part of the city.

915. Then I understand you to say that there are no disorders at present in Dublin arising from drinking?—Not that I am aware of beyond, I said, the usual conveyance of a man when he is disorderly to the station.

916. Are you aware that the judges and the Recorder have complained in the most striking language of the disorders prevalent in Dublin from drink?—I am aware that they did complain of the disorders from drink.

917. But you differ from them?—I do not see them on the streets. I am aware of the arrests.

918. Do you believe that the judges were right or wrong?—I believe that they formed their opinion from the cases which were brought before them.

919. Do you happen to have any knowledge of the number of cases that have been brought before them?—No; I have already told you that I have no return of those cases.

920. As a matter of fact, have you any knowledge of the same state of circumstances that the judges and the Recorder declare to be so horrible?—I do not think, to my knowledge, that the city is in such a state of riot as you describe.

921. If the word "riot" dropped from me I did not hear it myself?—In a state of disorder.

922. Did not the judges and the Recorder

Mr. Sullivan—continued.

state that the condition of the city was horrible?—Yes, and a portion of that remark alluded to the brutal assaults upon our men.

923. Arising from drink?—I do not know that they were drunk. I will not say what I do not know.

924. Will you let me put a fair question to you; I put you the question as to what the judges and the Recorder said as to the disorder arising from drink; you import an answer as to the outrages upon your men, which you say did not arise from drink?—I did not say that they did not arise from drink; I said that I do not know that they were drunk, but that they may have arisen from drink for all that I know. I know that they were assaulted, but whether the men who assaulted them were drunk before they assaulted them I do not know.

925. If the judges of the city and the Recorder of the city state that the disorders arising from drink are horrible, what would you say of a commissioner of police who had no knowledge of the horrible disorders?—I do not know; I have no knowledge of horrible disorders taking place.

926. Can such public disorder take place in the city unknown to the police?—I have never read in the papers, nor have I seen in the papers, accounts of those disorders. Every morning I read the occurrences which do take place in the city, and during the whole of the 365 days of the last year I have never read of any gross outrage that was committed on society. A judge has a perfect right to make his comments. I have been 17 years in the counties of Ireland, and I think sometimes we were secured without reason. I think also that I must explain when you ask me, whether, as you say, I content myself of ignorance of these cases.

927. I ask you as commissioner of police?—I am one and the same person. I receive every morning the sheets from every division, and I never hear, nor have I read, of those cases that you allude to, and those sheets can be put in evidence if you choose to move for them, and then to form a judgment upon them.

928. I am not alluding to any specific individual outrage, such as a man being assassinated; I am talking of the cumulative crime or disorder of the city; do you think that the judges have been under an hallucination about it?—I really can give you no answer except what I have said. The judges may form their opinion, and I dare say they may be right. I form mine, as I am entitled to form it, from sources which I have at my command.

929. Am I to take this as a final answer upon that subject, that, if the state of the city be as the Recorder and the judges have stated, the police and the commissioners have no knowledge of that amount of disorder?—No, I do not wish to give any such answer.

930. I must have it one way or another?—You may have it in the way in which I gave it, that I am not aware of those disorders which are stated to be so gross. I have formed my opinion from the police sheets that I read every morning, and I am not aware that such disorders have taken place, beyond what I said in my last answer, the very gross outrages upon our men upon which the judges commented in the severest manner, and gave a lengthened imprisonment for. I think the comments were very much upon those cases.

931. Then your official knowledge does not

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Mr. Sullivan—continued.

support the picture of the city as drawn by the judges and the Recorder?—I can give no answer but what I have already made.

932. With regard to those assaults upon the police, did they arise from drink, or was drink connected with them?—I think that if a man assaults another, drink is generally at the bottom of it; no man will deliberately go up and assault another unless he has some revengeful feeling against him.

933. With reference to those public meetings that you gave evidence of: the Sunday closing meetings in the Park, did the police report to you that those meetings were about to be held?—Yes, they reported them in the beginning; they met in 1875, as a matter of fact, every Sunday.

934. Did the police in any of those cases state how they knew that they were going to be held; were there placards or advertisements?—No; there is an error that I must guard myself against. Sir Henry Lake does the whole of the detective business, I think that the informations that are made, generally come through what we call the G. division, which is the detective division, and I cannot form any opinion upon where or how such information has been derived.

935. Are you aware that the weekly meetings which you have attended were not Sunday closing meetings, but were stated on the placards and advertisements to be meetings of the Temperance Society of Dublin?—I have already stated in my last day's evidence that the only meeting that I could positively speak of that I knew to be a total closing meeting, was the one in which a counter-demonstration was advertised to take place; the others I stated that I believed were to be temperance meetings altogether.

936. Have there been other public meetings, such as in the Round Room of the Rotunda, within the last four years, and in the Mansion House Round Room, presided over by the Lord Mayor, in-door meetings?—Yes; indeed in-door meetings have been innumerable, but I never got any direction to attend them; I suppose it was thought that no breach of the peace would take place, the police would only go for the purpose of preventing breaches of the peace.

937. On the occasion to which you allude, the parties opposed to Sunday closing called an anti-Sunday closing meeting for the same day and time in the Park as the Sunday closing party called theirs?—Yes they did.

938. The anti-Sunday closing meeting was a failure, was it not?—A total failure.

939. Were there 50 people there, or 30 or 20?—I could not say that there were 30; there was the band which I described, and one or two others, and some three or four little boys up in the trees interrupting them.

940. They were interrupting the Sunday closing meeting?—Yes.

941. There may have been a few little boys, but the working men of Dublin did not come, even to the number of 25, at the call of the anti-Sunday closing people?—I know that there was no demonstration at all.

942. As to the kind of demonstration which took place upon that occasion when I presided, you said that there were about 1,000 people probably at the meeting?—Yes, I said I judged about 1,000.

943. A person on the platform, if he is accustomed to see public meetings, has a better means

Mr. Sullivan—continued.

of judging, has he not, as to the number of persons than a person who is on the flat?—Yes, but I was on horseback.

944. You read the "Daily Express" sometimes, I hope: did you read an account of it in the "Daily Express"?—Indeed I did not; I generally read the "Irish Times," which happens to be something of an official paper, and which is sent to me; I do not read much of it; I generally read the English "Times" altogether, and not the "Irish Times."

945. You are not aware that the "Daily Express" stated that at that meeting not less than 10,000 people were present?—I have heard so.

946. Are you aware that the "Evening" and "Morning Mail" stated that there was a vast concourse, numbering from 8,000 to 10,000 persons at a low estimate?—I am not aware of that, but I take it for granted that they did.

947. Are you aware that the "Irish Times," which you do read, and which is an anti-Sunday closing paper, stated that there were between 6,000 and 7,000 people present?—Yes, I read the "Irish Times," but then, having been at the meeting, and forming my own opinion, I did not read that particular paper.

948. Are you aware that the "Freeman" put it at a larger figure, and, as a matter of fact, have you up to this moment been made aware that no one in the City of Dublin, for or friend of the movement in the public press, ever put down the attendance at that meeting as under the figures which I have given?—That may be perfectly true; I can say nothing but that I formed my opinion, and you are at liberty to form yours.

949. There were two Sunday closing meetings in the Park, one of which was presided over by Mr. Michael Brogan, and one by me, on the 30th of May; were you at these meetings?—I was at the one at which I said you were present; I have not been at any other except one that was held at the Mount.

950. Are you aware that the trades of Dublin came to a public meeting in the Mechanics' Institute, and that alternate speakers, on the one side and on the other, controversially discussed this subject, from 30 minutes to 8 o'clock to 10 minutes past 11?—No, I am not aware of that; I do not take the slightest interest in the movement.

951. You think that it would be worth while to have a Sunday closing in what you call the provincial districts, that is, the country districts?—I have said that a law which might be very good for the country districts, by which I mean the country generally, might not, in my opinion, be applicable in large cities like Dublin.

952. Would not it be as great an inconvenience, proportionately to the 500 men in Mullingar, to have Sunday closing, as to the 500,000 or 100,000, or 50,000 in Dublin; is it not merely a question of large numbers?—No, I think not.

953. On what ground?—On this ground, as I have stated, that in parts of Dublin the people are confined in densely crowded houses, where they have no means of keeping their liquor, whereas in Mullingar each family lives in a separate house, and they could have their whiskey or their beer, or anything that they required in their own houses; and the people, I think, that come in from the country towns, are generally people that come in from the country for prayers, and who remain in town during the day, and not the people of the town itself.

954. With



Mr. Sullivan—continued.

954. When you say that the people in the houses in Dublin would have no means of keeping their drink in the house, surely a bottle of whisky could be kept under the bed, if there is much embarrassment to find room for the drink?—Yes; but if, as the honourable Member for Dublin described it, there are 100 souls in one house (I said 40), I am afraid that a bottle of whisky would disappear between them.

955. As a matter of fact, do you really think that the want of room for the storage of liquor makes the difference, why it would be good in Mullingar and bad in Dublin?—Really they want comfort in the house; they want a place to put it, and if they have it there is a probability of its being taken where whole families reside in one room in a house. There is a great deal of poverty in King-street and in Stephen-street, and in Bisle-street, and in other parts of the liberties of Dublin.

956. Are the labourers' dwellings in the provinces of Ireland, and the huts that are to be seen in the small villages in Ireland, much superior to and more comfortable than the dwellings in Dublin?—In my experience, they are. Speaking of Wexford, there is hardly a tenant on my estate that has not a little parlour and a cupboard in it, and you can always get a glass of grog. In Mullingar and around Wexmouth the farmers are very comfortable.

957. But, as a matter of fact, shall we find, do you think, as a commissioner of police, that the valuation of tenements in the towns of Ireland is higher in proportion to the population than the valuation in Dublin?—Do not you think that you are taking me a little out of my legitimate line, as a commissioner of police, in going into valuations, for I really do not know the valuation of the country very much.

958. When you gave an answer to me, stating the grounds why Sunday closing would be bad in Dublin, while it might be good in those small towns in Ireland, you gave it on the ground of the class of houses, and, consequently, I am inquiring of you now whether there is any difference, on the whole, between the class of houses inhabited by the Sunday drinking population?—I have said that I thought they were more comfortable than in the parts of Dublin to which I alluded. The valuation is not always equal in many counties; sometimes it is higher, and sometimes it is lower.

959. Then it is mainly on the ground of the misery of the habitations that you would make a difference in affording drinking facilities in Dublin?—That would be the only one that occurs to me now; the others would take me a long time to think of; they might occur to me at any time. I have stated some of them already.

960. Would you kindly tell me the chief ground?—If I may be allowed to refer to the questions, there are 360 questions in my evidence, and I really cannot remember the other reasons that I gave.

961. I do not know them myself, so that you need not apprehend that I am putting the question with the view of contradicting your evidence; I am merely anxious to know really upon what principle you would think that Sunday closing would work well in Mullingar, or Feetham, or Wexford?—Perhaps another reason would be that the people who come in from the country on Saturday, and do their business in the town,

Mr. Sullivan—continued.

generally remain at home on Sunday, and, therefore, there would be no inconvenience to people coming into the town for refreshment, or excursionists, for instance. Like there are in Dublin.

962. Do not the people go out of town rather than come into town in the case of Dublin?—Yes, that is what I say; and therefore I say that they require refreshment. But in Mullingar they would not have any necessity for coming into the town on the Sunday, and they would not require to go into a public-house.

963. The people who live in the town would not be persons who would require refreshment?—On the principle that I said, that they had the means of storing whisky or beer in their homes on Saturday, if they chose to have it.

964. The difference in your mind is with reference to what you would call a moderate or a saving population?—Yes.

965. My friend, the honourable Member for Limerick, put to you a question the other day as to the people who go on excursions out into the country from Dublin, and he asked whether they would not be deterred from going on those excursions if they could not get drink when they reached the place (the question being with reference to suburban houses being opened); does it strike you that respectable young men would prefer on a Sunday to go to Townshend-street because they would get drink there, rather than to Howth, where they might not; would the drink be so great a feature with them?—No, I do not think with the respectable classes, who are far from being depraved in the way of drink, that that fact would deter them from going for a walk on Sunday; but I think I said that they would feel very much disappointed at the end of their journey if they could get no refreshment.

966. On what principle would you fix the hours for permitting trading in drink; I presume that you would not let them be open all day and night either on weekdays or on Sundays; I will take now the whole seven days; you would not let them be open 24 hours for seven days in the week, and therefore on what principle would you shut them during any hours with a view to public convenience; would you select the hour during which the least was done or the least number of people frequented them?—The line must be drawn somewhere; you must fix some hour. I suppose that Parliament, in its wisdom, has fixed certain hours; I cannot tell upon what principle Parliament did it, but the line must be drawn, as I state, at a certain hour.

967. You recommended earlier closing on Saturday; if what you consult would be public convenience, why would you close them earlier on Saturday, seeing that that is the evening when they are most frequented?—Because I think that the public have been sufficiently inconvenienced up to that hour, and because then I wish to save the wages of those who would feel inclined to abuse drink, and when the majority of the people have been sufficiently accommodated and have used their refreshments moderately, I would legislate for the man who wishes to abuse it, and make him go home earlier.

968. But I am a little confused as to what inference to draw from that evidence, and the evidence that you have also given me, that if you closed the public-houses at an hour at which they are much frequented, you would drive the people

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Mr. Sullivan—continued.

into illicit places, would you not do that if you closed them at an hour on Saturday evening when they are so much frequented?—You would to a certain extent; but then all I say is, that what would be gained would be the greatest, and the loss would be the least; that is sending them into the illicit houses.

969. You said that your plan or desire would be not to come suddenly upon them with total closing, but to wear them gradually; supposing that it was found a success to shorten them, as you suggest, an hour or two on Sunday in 1878, and an hour or two more in 1879, do you believe, as commissioner of police, that gradually introduced Sunday closing covering a period of some years, three or four or five years, allowing the people time to adjust their social habits and domestic conveniences to be changed, and allowing time for the introduction of public recreations of an innocent kind, open spaces, squares, parks, reading rooms, &c.; do you believe that the change would be for the better every year, if thus gradually introduced?—It is a very difficult question to answer. You lead me on eventually to the total closing of public-houses, excluding all power of excursions to get refreshments.

970. No, I am always contemplating the *bad* side traveller class?—If you educate people in that way, that is to say, educate their moral character, and give them other amusements and gradually draw them from the line of the public-house, if you succeed in the first two or three years it is very possible, and probable, that you may lead eventually to what you say, namely, the closing of the public-houses on Sunday, but allowing refreshments for excursionists or those who are *bad* side travellers.

971. With regard to the penalty on publicans for selling to people who are drunk, or who are under the influence of drink, there is a penalty by law supposed to be on traders who sell to consumers under the influence of liquor; as a matter of fact, can you tell me how many convictions or prosecutions have been instituted under that clause?—No, I cannot.

972. Do you believe that there are three a year, or five, or how many?—I think there are very few convictions under that clause.

973. Did you ever hear that in Liverpool in two years there were but three?—No, but I should not be surprised, and that is one of the reasons why I said that I should make the publican more responsible for the good conduct of his house.

974. I want to know how it is possible to make any publican responsible in such a case as you suggest without inflicting a grievous hardship upon the publican; could you in the state of things I describe at all increase the fine that you impose upon the publican without great hardship to him; for instance, you know Townsend-street corner, at the Crumpton Memorial, where there are, I believe, batteries at every corner, that is to say, four or five public-houses, looking into one another; if a man takes a glass or two of whisky at No. 1, and enough to make him drunk there, he does not get drunk whilst he is crossing the street surely?—No.

975. He goes into No. 2, and he takes only half a glass there, but, with his elbow on the counter he gets drunk; I want to know who should be punished; how could you without great hardship upon the publican punish the man who

Mr. Sullivan—continued.

sold him only half a glass?—Then he would have nothing to do but send his attendant to College-street, three doors off, to the police station, to find a policeman to come in and put the man out because he was drunk.

976. You grant that, although the man is seen coming out of his place drunk, the last publican ought not to be punished for that; how would it be, practically, to work such a law at all?—The reason I proposed that it should be made more stringent was, as I said, to increase the responsibility of the publican towards order; but I see, by what you tell me, that it would not be fair to punish the publican who sold to a man who apparently came into his shop sober, but who was made drunk by the last half glass of whisky. I had not reflected upon the impracticability or the unfairness of it when I suggested it.

Mr. Maurice-Brona.

977. Do you know the constitution of the bench of magistrates in the metropolitan district?—I know the magistrates who sit there.

978. In the evidence given by Mr. Nicolson on the 23rd of February, there was this question put to Mr. Nicolson: "Have any cases come within your knowledge where drunkenness has been alleged to have been created by persons going out from a large town, like, for instance, Glasgow or Paisley, to one of the suburbs, and frequenting inns there under the guise of *bad* side travellers?" To which Mr. Nicolson's answer is, "Yes; there is no doubt that that was one of the unfortunate results of the legislation of 1833, that it did make a considerable number of persons leave their own homes and go out into the suburbs, so as to come within the description of *bad* side travellers. That happened, I am quite aware, in the neighbourhood both of Glasgow and of Edinburgh; but in one of the suburbs of Edinburgh, at all events, where it came to a considerable head, the magistrates took the matter into their own hands, and withheld licenses from those hotel-keepers whose houses were chiefly frequented by persons who really had no right to chance the benefit of the exception." I want to ask you, from your knowledge of the magistrates of the county of Dublin, whether they would be likely to do the same thing in the event of this Bill passing, and withhold licenses from those who would give refreshments to excursionists?—Certainly not; the reason is that the publican would be under the impression that they were *bad* side travellers.

979. In the case that I have referred to, as I understand, the magistrates refused to allow licenses to hotel-keepers who gave drink to excursionists?—I do not think that the magistrates would do so, certainly in Ireland.

980. With regard to policemen at the church doors, you say that it probably would be necessary to continue policemen at those doors, on account of the bands; do you mean the bands of the Temperance Societies?—I mean to say that the band nuisance is very great in Dublin, and particularly in the summer. We also have had very great difficulty and unpleasantness with them in making them stop when they come near a church where Divine worship is going on, and assaults have arisen out of them, in some cases, where the drum major attacked our men and beat them, and then the whole band attacked them.

981. Are

*Mr. Munster Brooks—continued.*

981. Are these lands described as belonging to the Teetotal Society?—There are a number of lands in Dublin. Some belong to the Total Abstinence Society; some belong to the shoe-makers; some belong to the trades; in fact, every trade has a land.

982. Do you, as commissioner of police, say that the lands of the Teetotal Society are those from which you apprehend danger of disturbance in that way on Sundays?—Certainly not; but that they play there is no doubt. Do not understand me to say that the band of the Total Abstinence Society ever committed themselves; that I am aware of; but I know that bands have committed themselves. I cannot say that it was the Total Abstinence Society's band that did so.

983. With regard to the observations of the judges upon the evil effects of drunkenness in Ireland, are you able to say that this drunkenness has regard to drunkenness occasioned by drinking on Sunday within restricted hours when the public-houses are open, or to drunkenness on Saturdays and other weekdays?—I cannot say whether the judges referred to Sundays or to Saturdays, or to any other way. I am not aware that the judges ever mentioned whether it was caused by Sunday drinking or Saturday drinking.

984. Can you say whether the judges have attributed those terrible evils in Ireland to drinking in illicit houses and in the beerhouses?—I am not aware. As I have stated to Mr. Sullivan, I have not read the judges' charge, and I form my opinion from my own sheets.

985. Is it your opinion, as commissioner of

*Mr. Mount—continued.*

police, that the reports and opinions of the judges are ill-founded or exaggerated?—I do not think. I can answer that: I should be pointing a direct censure upon the judges.

986. With regard to the difference between the residences of people in small country towns and the residences of people in Dublin, may you say whether the residence of a working man earning 19s. a week, which would be 20s. a year, or about the wages of an average artisan, would not be infinitely better in the small towns than it would be in the towns or quarters of Dublin for the same price?—I should think, comparing the two, that a residence in the country would be more comfortable than that of an artisan who has the wages you describe in Dublin, if I understand your question right.

987. I mean that the rent paid by an artisan in Dublin, say 6s. or 7s. a week, would produce a better residence in a country town?—Infinitely better than what he would pay 6s. or 7s. for in Dublin. It would be a much better residence in the country than in Dublin, most decidedly.

988. He would have more ground—pace?—Yes, and be more comfortable in every respect.

989. And therefore there would be less necessity for resorting to a public-house or place of public entertainment in the country towns than in the city where the dwelling-room of an artisan is limited to one room, which is sleeping room, and eating room, and living room altogether?—Yes, certainly.

990. Therefore the necessity for places of public entertainment in the country are less than in Dublin or in other large towns?—Certainly.

**Mr. RICHARD CORB, called in; and Examined.**

*Chairman.*

991. WHAT position do you hold in Dublin?—Chief Superintendent of the Dublin Metropolitan Police.

992. How long have you been connected with the force?—I am in my fortieth year; that is, I have 39 years three months of completed service. I joined the force on the 1st of December 1837.

993. You gave evidence, did you not, before the Committee on the Sale of Liquors in Ireland, on Sunday, in 1868?—I did.

994.—Do you remember what, at that time, were the hours on which public-houses were allowed to be open on Sundays in Dublin?—From 2 o'clock p.m. to 11.

995. In 1873 a change was made in the law, was there not?—There was.

996. And the present hours of opening from 2 to 9 were substituted?—Yes.

997. In your opinion is there much drunkenness in Dublin and the metropolitan district on Sundays?—Not so much on Sundays as there is on other days of the week. My experience could carry me back many, many years, and I find less drunkenness on Sunday than on any other day in the week.

998. Have you been able to refer to any statistic on that point before and since the shortening of the hours, which was made in 1872?—No, I have not; but I am in a position

*Chairman—continued.*

to show the number of complaints for the whole year in each year from 1866 to 1871.

999. Will you give us those?—I have a return showing the number of victuaries, spirit grocers, beer sellers, and night-house keepers summoned by the Dublin metropolitan police for the violation of the law, and they are as follows:—In 1866 there were 167 publicans; in the same year there were of spirit grocers 71, beer dealers 250, and night-house keepers 64, making a total of 382 during that year. In 1867 there were summoned 230 publicans, 67 spirit grocers, 384 beer dealers, and 69 night-house keepers, making a total of 632. In 1868 the number of publicans summoned was 157, spirit grocers 69, beer dealers 759, night-house keepers 131, making a total of 1,116. In 1869 there were summoned 120 victuaries, 65 spirit grocers, 880 beer dealers, 91 night-house keepers, making a total of 1,136. In 1870 there were summoned 185 victuaries, 56 spirit grocers, 863 beer dealers, and 125 night-house keepers, making a total of 1,179. In 1871 there were summoned 103 victuaries, 43 spirit grocers, 634 beer dealers, and 72 night-house keepers, making a total of 852. I can give you the number of prisoners arrested for drunkenness during the same period.

1000. Do you mean prisoners arrested for drunkenness on Sundays, or on all days of the week?—On all days in the week.

1001. Our inquiry has special reference to

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Sundays, and what the Committee would like to have from you is a return showing the number of arrests for drunkenness on Sundays between certain hours, and during the whole day for a certain number of years before 1872, and a certain number of years after that date?—I am not supplied with that return.

1002. Can you get it for the information of the Committee?—Yes.

1003. In your evidence before the Committee in 1868 you suggested the opening of public-houses on Sunday at 3 in the afternoon, and closing them at 9 in place of the law which was then in force, and you expressed an opinion that it was possible that a greater evil might arise by the change than the good that would be effected by it; the greater evil you referred to, I presume, was illicit drinking?—Yes.

1004. Is it your opinion that illicit drinking on Sunday has increased since the hours have been shortened?—It is.

1005. Can you give the Committee any facts that would show that?—I have no statistics to show with reference to illicit drinking on Sundays, but I am in a position, from my own experience, to show that the illicit traffic is carried on on Sundays during prohibited hours, both in the forenoon and afternoon.

1006. Will you state to the Committee what you know upon that point?—There are a great number of illicit houses in the city of Dublin, some situate in very low neighbourhoods. I may say that the closing at 9 o'clock has had a very beneficial effect; but when the public-houses close at 9 o'clock on Sunday night parties resort to those neighbourhoods where those illicit houses are situate, and they do carry on an illicit traffic in those places up to 2 and 3 o'clock on Monday morning. The description, also, of the drink that those parties keep is adulterated. I had, some good many years ago, a notorious night-house keeper, who was in the habit of getting what is called "a first polish" in a druggist's shop, and with a pint of that and a pint of bad night-house whisky, it was strongly rumoured, and I have no doubt in the world but that it was correct, that he could make six or seven gallons of night-house whisky out of it.

1007. Do you think that there is a good deal of illicit drinking, and a good deal of adulterated liquor sold at those places?—I have no doubt in the world about it.

1008. Have the number of convictions for illicit drinking on Sundays increased or diminished since the passing of the Act of 1872?—The number has increased.

1009. Can you give us figures to show that?—I cannot.

1010. Will you obtain them for the Committee?—I will.

1011. Will you let us have a statement showing the number of convictions for illicit drinking on Sundays in each of the eight years ending 1876?—Yes, I will procure it.

1012. I think you stated that you had some statistics upon the number of arrests for drinking on Sundays?—I have the arrests from 3 to 12 p.m. on Sundays; I have the arrests on Saturdays from 3 to 12 p.m., and on Thursdays from 7 a.m. to 12 p.m.

1013. Captain Talbot gave us the arrests on Sundays between 3 in the afternoon and 12

Chairman—continued.

o'clock for several months, are those the figures which you have?—Yes.

1014. Those are already before the Committee; but what I wanted to ask you was this: have you any statistics as to the number of arrests, not on particular Sundays, but on the total number of Sundays in each year between those hours, before and after the passing of the Act of 1872?—I have not.

1015. Will you obtain that also for the Committee?—Yes, I will.

1016. It has been suggested to the Committee that earlier closing on Saturday night would be a great advantage, is that your opinion?—My opinion as regards Saturday night is, that the markets are held very late, up to half-past 11 and 12 o'clock, in Thomas-street and George's-street, and Moore-street. However, I think that if the hours were curtailed on Saturday it would have a good effect.

1017. How many markets are there in Dublin on Saturday?—There are a great many markets, and parties there are generally up till 12 o'clock or half-past 12. I have seen them in the butchers' stalls and provision shops, and getting their groceries, in the public-houses up to the very last minute before closing at 11 o'clock.

1018. Do you mean in the spirit-grocers' houses?—Both in the spirit-grocers and in the public-houses, who have grocery departments in their establishments.

1019. Can you tell me roughly how many markets there are in Dublin?—About 10 or 12, at all events.

1020. Those would be, generally speaking, open even as late as the hour you have mentioned?—Yes.

1021. The hour of closing the public-houses on Saturday night is 11 o'clock, is it not?—Yes.

1022. So that the markets go on at present later than the hour at which the public-houses may be open?—Yes.

1023. What is your opinion of the suggestion for closing the public-houses at 9 o'clock on Saturdays under those circumstances?—I think it would have a good effect if the houses were closed at 9 or half-past 9 on Saturday night. Still the other evil may arise that parties drinking in public-houses on Saturday nights may go to those illicit houses after the public-houses are closed; and I have no doubt that, if the public-houses are closed, more illicit traffic will be carried on.

1024. You said, I think, in 1868, that closing before half-past 10 on Saturday nights would interfere very largely with the general convenience of the public?—Yes, and I am of that opinion still; before half-past 10 or 11 o'clock.

1025. What is your opinion as to the interference with the convenience of the public by the total closing on Sundays?—My opinion is that the public would be very much inconvenienced by the total closing of public-houses within the Dublin metropolitan police district on Sundays.

1026. What would you recommend?—I would recommend the curtailing of the hours from 9 to 7 o'clock, that is opening only from 9 to 7. The curtailing of the hours from 11 to 9 I must say had a very good effect indeed. After the public-houses are closed now at 9 o'clock in less than half an hour, at least certainly at 10 o'clock,

Chairman—continued.

o'clock, you meet very few in the public thoroughfares in the city of Dublin.

1027. Generally speaking, perhaps, going a little beyond those who are actually arrested and punished for the offence, do you think that drunkenness on Sundays in Dublin has increased or decreased since the hours were shortened?—I could not say. There are very few persons arrested at all on Sundays when you consider that there are 17 stations where prisoners are arrested within the Dublin metropolitan police district on Sundays, and that only 15, 16, 18, 23, or 30 prisoners are arrested within the whole district on Sunday.

Mr. LAW.

1028. You speak of the markets as being kept open as late as 12 o'clock at night; in what is the exact connection between the late market and the closing of the public-houses?—There is no connection as regards the closing of public-houses.

1029. Then that has nothing to say to the inquiry before us?—No, I do not think it has any more than that the people resort to those markets up to a very late hour.

1030. But they could get over their marketing very much earlier, could they not?—They could, of course.

1031. The groceries they could get at ordinary grocers' shops?—Yes, they have their groceries in before 11 o'clock.

1032. And their butcher's meat too?—Yes, they could at they thought well of it; it is a habit more than anything else, and the custom of those class of people, to go out late on Saturday night to market.

1033. Would there be any public inconvenience to the marketing people if the public-houses were closed much earlier, say at 9 o'clock?—I should say not.

1034. They do not require to take a drink, do they, after buying their groceries?—Some of them do after buying their groceries, and when the public-houses are shut they go to those illicit places.

1035. That is to say, the people who are determined to drink?—Yes.

1036. You say that a very good effect followed the change of hours from 11 o'clock to 9 on Sundays in 1872; in what respect was that change beneficial?—After 9 o'clock on a Sunday night the streets are free from any disorders, that is to say, the public thoroughfares.

1037. Do you mean to convey to us that there were disorders before 1872?—Yes, there were.

1038. Would you apprehend any unpleasant consequences if the hours were still further shortened?—If the hours were still further shortened I could not account for the result at present, but I am clearly of opinion that if total closing took place we would have a scene of disorder.

1039. In what way do you mean?—By parties going to illicit houses to get drunk.

1040. You say that you apprehend that if public-houses were entirely closed on Sunday the evil consequence would be that people would resort to the unlicensed houses?—They would.

1041. What class of people would resort to these unlicensed houses?—There are neighbour-

Mr. LAW—continued.

hoods in the City of Dublin where the class of people know well where drink can be got, and they will get it.

1042. These are the habitual drunkards?—Yes.

1043. Do you think that the respectable people of the working classes and the tradespeople would resort to unlicensed houses?—They do occasionally.

1044. Do you think that they would?—I think that they would; I have no doubt of it.

1045. What do the workpeople in Dublin generally drink?—Porter and beer, and they take their whisky.

1046. As between the three, which is the habitual drink of Irishmen in Dublin?—Whisky; the habitual drinker is in the habit of taking whisky and beer.

1047. Beer is so often mentioned that one would imagine that it was an Irishman's habitual drink; is that so?—I do not think that it is.

1048. A glass of beer is not a necessity to an Irishman as it is to an Englishman?—No.

Mr. RICHARD SWIFT.

1049. You said, did you not, that since 1868 there has been more illicit drinking than previous to that date in Dublin?—Yes, I should say there has.

1050. I think I understood you to say that the increase of illicit drinking has been not only in the evening but also in the morning of Sunday?—Yes.

1051. And you have stated that the hour for opening on Sunday previous to 1868 was 2 o'clock?—Yes.

1052. And the hour for opening since 1868 has been 2 o'clock?—Yes.

1053. How then do you account for the increase of the illicit sale on Sunday morning since the hour for opening public-houses has not changed?—More illicit houses have sprung up since than before.

1054. But you do not connect that with the change in the law in 1868?—No.

1055. Do you think that it is possible practically to repress this illicit sale by increased stringency in the law?—I think we have sufficient power at present to suppress it, but how to carry it into effect I do not know. I will quote one or two instances for you, if you wish it.

1056. The majority of the publicans of Dublin are very respectable people, are they not?—They are.

1057. And they could be trusted with carrying out any law that Parliament would enact?—I think so; they are a very respectable body of men.

1058. So that if they had total Sunday closing you think that the respectable publicans' houses would not require to be watched at all by the police on Sunday?—There are publicans in Dublin who never violate the law as to prohibited hours on Sundays.

1059. You think that the respectability of the Dublin publicans generally is such that they could be thoroughly trusted with the carrying out of a Sunday closing law?—I should think they could. I say that if the Act was carried out you would have parties coming and knocking at every public-house in the city of Dublin announcing themselves *bona fide* travellers, and

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Mr. Richard Smyth—continued.

that if a publican would open his house for the purpose of admitting a *bad side* traveller, if he was a *bad side* traveller, a crowd would rush in in all probability, and the police would have to be called into requisition to remove them; and rows, I apprehend, might take place under those circumstances.

1060. Surely you do not mean to convey that the police would rush in to turn out *bad side* travellers?—Not *bad side* travellers; but when the house is opened for the accommodation of a *bad side* traveller there would be parties outside who would see the house open, and who would rush in at once.

1061. Those respectable publicans of Dublin, being thoroughly trustworthy to carry out the law, do not you see that a large number of the police would be set free for the watching of the lower districts of the city and for watching the illicit houses?—The officers of the Dublin Metropolitan Police are duly empowered to look after those illicit houses, public-houses, spirit grocers, and beer dealers, and the constables on their beats, if they see any irregularity with reference to any of this class of houses, report it to their officer, and he at once takes steps to see whether that report is well founded or not.

1062. That is not the point to which I want to direct your attention, it is to the respectability of the Dublin publicans, because it has been stated over and over again here, that in general the publicans of Dublin are so respectable, that they can be thoroughly trusted with carrying out any law that Parliament may enact; if Parliament enacts a Sunday closing law, do you not see that large numbers of the force will be set free from the watching of the respectable houses to watch those that are not so respectable?—The force never is employed at watching respectable houses now.

1063. How many police have you on duty on Sunday?—There are about 950 on effective duty on Sunday and every other day in the week.

1064. How many public-houses have you open on Sunday in Dublin?—About 900.

1065. So that you have at the present moment one policeman to watch every public-house in Dublin?—No, I have not; they have other duties to contend with. They have the traffic arrangements, and they have to look after the good order and regularity of the neighbourhoods in which these men are placed. We could not have a man watching every public-house and every spirit grocer's shop; if that were to be the case, all the other duties in connection with the service would be neglected altogether.

1066. How many public-houses could a policeman watch in a street?—That is according to the number; if there are two or three public-houses convenient to each other, of course a man might keep his eye to them, but you cannot expect a constable to remain watching a public-house. He is on his beat, and if he passes a public-house at one place on his beat, he may not come round to that public-house again for an hour or an hour and a half.

1067. Then there are no houses really watched?—No, not by constables on the beat, because that could not be.

1068. Are there no constables entrusted with the special duty of watching houses?—There are.

1069. How many?—The inspectors and acting

Mr Richard Smyth—continued.

inspectors of the different subdivisions, and the sergeants and acting sergeants of the sections going their rounds, visit these houses and see whether they are regularly conducted or not.

1070. So that by telling off a large number of the force you could easily watch the illicit houses and also the disreputable public-houses?—That would be almost impossible. There is illicit traffic carried on in Dublin, although for the last 39 years, to my knowledge, we have done everything in our power to suppress it. I do not think the officers in any force ever exerted themselves from time to time more than the officers of the Dublin Metropolitan Police to suppress illicit traffic, and still they cannot cope with it.

1071. Do you know anything about illicit distillation?—Yes.

1072. Do you think that that has decreased of late years?—It has.

1073. Very materially?—It has.

1074. Do not you think that that decrease has dated very much from the time that the duty of suppressing it was entrusted to the constabulary?—It was carried on more through the constabulary districts in Ireland than it was in the City of Dublin.

1075. What I want to call your mind to is this, that during the time that the revenue police attempted to suppress distillation, their efforts were not so successful as those of the constabulary, since it was entrusted to them, is that so?—I do not think it is.

1076. But you know that it has in many parts of the country been stamped out?—I do.

1077. Do not you think that the police, by having a stringent law, and setting themselves earnestly to work to stamp out the illicit sale of drink, would be equally successful?—Not in Dublin.

Mr. Maurice Brooks.

1078. I understood you to say that the entire closing of the licensed public-houses on Sunday would increase the labour of the police?—It would.

1079. And it would increase the number of illicit houses?—It would.

1080. And it would require a greater number of police to watch them?—It would require very nearly twice the number that we have at present.

1081. Do you think that the drinking on Sunday in Dublin would be lessened if the employers were generally to adopt the plan which some follow, of paying their workmen on Friday?—It would, I have no doubt of it.

1082. Do you know what is the practice of the Government with regard to the artisans and workmen in their employ?—They are paid, I think, on Fridays. There is a certain day in the week, at all events, for paying them.

Mr. O'Shaughnessy.

1083. I suppose you have talked to your constables and your brother inspectors about the advisability of Sunday closing?—I have.

1084. What is their opinion, and what is your opinion, as to the popular feeling on the subject in Dublin; do you think that the humber classes approve of total Sunday closing?—I do not think they do.

1085. Do you think it would cause much irritation

Mr. O'Shaughnessy—continued.

tation if it were carried out suddenly and fully on Sundays?—I am sure that it would.

1086. It has been suggested that, by means of an enlarged detective staff employed in dealing with the people of Dublin, this complete restriction might be carried out; what do you think would be the effect on the popular mind of employing detectives to generally as would be necessary for the purpose?—My opinion is, that they would be very much opposed to the police being employed in that position.

1087. There are about 900 public-houses in Dublin, and, besides those, you say there are a large number of illicit houses; do you think, bearing in mind what you know of their numbers, that you would require a large number of detectives to cope with them if you had total Sunday closing?—Yes, a very large number.

1088. Would you say how many?—I do not see how they could cope with it. If total closing goes on on Sundays, I do not think they could.

1089. Have you any reason, or what is your opinion as to the reason, why the popular voice has not been raised against Sunday closing in Dublin; can you account for it?—They have not, taken any steps, one way or the other, I think, to put forward their views on the subject.

1090. Why have they not done so?—I cannot say; they are under the impression, I think, that the Bill would never be brought in or passed.

1091. Were you present at a meeting in the Ranelagh within the last couple of nights?—No.

1092. Does it strike you, seeing the large meeting which was held there, that when they do begin to realize that there is some probability of the Act being passed, they will express their opinion in a very forcible way?—They may.

1093. You told us that you saw a good effect in the removal of disorder, and the clearing of the streets follow the closing of the public-houses on Sunday at 9 o'clock?—Yes.

1094. Do not you think that in the same way, by closing of the public-houses on Saturday nights, at or about the same hour there would be a corresponding improvement in the state of the streets?—I think there would.

1095. About what hour on Saturday does the business in which the humbler classes are employed during the day generally finish?—At 6 o'clock; in the winter time I think they finish between 4 and 5 o'clock.

1096. Do not you think that between 6 o'clock and half-past 9, in the course of a short time, they might get into the habit of finishing their marketing without any inconvenience?—They might.

1097. And that practically there would be no great inconvenience, so far as marketing goes, in closing the public-houses at a pretty early hour on Saturday night after a short time?—After a short time there might not.

1098. With regard to the illicit houses, of course you sometimes make detections of illicit houses?—Yes.

1099. Do not you think that if the magistrates were empowered to impose some extremely heavy penalty on any person so detected, the imposition of such heavy penalty would have the effect of deterring others?—It would, but I am of opinion that the 3rd section of the principal Act has a penalty of 20 l. or one month's imprisonment for the first offence. There is no likelihood of the man paying the penalty, but if the imprisonment 0.59.

Mr. O'Shaughnessy—continued.

in that case was three months I think it would have a very good effect. On the second conviction the fine is 100 l. or three months' imprisonment, and I think that the imprisonment on the second conviction might be six months, without the option of a fine, and that that would have a very good effect.

1100. Supposing you went a little further, and for the first offence of selling liquor in an unlicensed house you made the penalty a year's imprisonment with hard labour, without any option of a fine, that would go a great way to put an end to it?—It would have a good effect.

1101. And would make it much easier to deal with?—Yes.

Mr. Murphy.

1102. You said that you thought it would be beneficial to the public peace and order if the public-houses on Sundays were closed at an earlier hour, and you suggested 7 o'clock?—Yes.

1103. Has it occurred to you that any distinction should be made between summer and winter as to the hours of closing?—Seven o'clock is rather an early hour in summer.

1104. Would you be of opinion, if the hours were to be curtailed, that they should remain open for a longer period in the summer months, and a shorter period in the winter months?—Yes, I would.

1105. Do you think that that would be a reasonable and proper distinction?—I think it would be for the accommodation of the public.

1106. I think you further stated that although great good would undoubtedly be done, so far as the peace and order and quietude of the streets were concerned, by means of such early closing, the probability is that it would lead to a greater amount of illicit drinking?—It would, I have no doubt.

1107. And that there would be a balance, in fact, of the good to be done by early closing, as against the evil that would be done by illicit drinking?—Yes.

1108. The professed object of Sunday closing is to repress intemperance, is it not?—Yes.

1109. Is it your deliberate opinion, that so far from repressing intemperance, the total closing would increase intemperance?—It would in a certain case.

1110. The professed object of the Bill being to repress intemperance in those classes who are intemperate; is it your opinion that it would increase intemperance?—Yes, in that class it would.

1111. You were asked your opinion by the honorable Member for Derry, as to, the fact of illicit distillation having been suppressed since the repressive measures were entrusted to the constabulary; have you ever considered that the decrease of illicit distillation in the country parts may have arisen from other causes than that?—No.

1112. Have you ever considered that when illicit distillation formerly took place in the country districts, the price of oats was 4 s. or 5 s. or 10 s., and that it is 10 s. now?—Yes.

1113. Do you not conceive that the price of oats being very low, and no means of conveying them to market, and no other consumption, it was more likely to lead to illicit distillation as compared with the present time, when a small farmer

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farmer can get 10s. for his oats at an easy market, instead of not being able to sell them at all?—Yes.

1114. Do you think that that has had anything to do with the decrease?—I think it has.

Mr. Melden.

1115. Do I understand you to say, that the police have used their full powers as energetically as they could to stop the illicit drinking in Dublin?—They have.

1116. May I ask you, is it not the fact, that the police prosecutions, as a general rule, take place under the Act of 1854?—No.

1117. Under what section of what Act do the prosecutions generally take place?—They take place under 86 & 37 Vict., the principal Act.

1118. Under which section of that Act?—Under the 3d section.

1119. Did you hear Captain Talbot state that one of the reasons why the police were unable to cope with it was, that they could only prosecute under the section which inflicts a 21. penalty?—Yes, I did.

1120. Was he correct in that?—No, I think not.

1121. Can you give me the figures of the number of prosecutions that took place under the different Acts of Parliament?—No, I could not. There can be no conviction got under the 3d section of the Act of 1872, for keeping for sale, but an officer is authorised to enter a house by warrant under that section, and if he finds a cart load of intoxicating drink for sale on the premises he cannot seize or interfere with it.

1122. Do you now differ from Captain Talbot in his evidence?—Not on that point.

1123. I asked you, a short time ago, under which sections do prosecutions generally take place, and you told me that it was under the 3d Section of the Act of 1872; I think you must be mistaken?—It is under the 3d Section of the principal Act of 1854.

1124. And that section provides a penalty of 40 s. only?—Yes.

1125. Will you tell me the reason why the police prosecute chiefly under that section, and not under any of the more severe sections?—They prosecute under the other sections too, when they have any chance of obtaining a conviction.

1126. Under the Act of 1872, you cannot prosecute for keeping for sale, I think?—No; it must be "for sale or for exposure for sale."

1127. But under the 2d Section of the Act of 1854, which inflicts a penalty of 5 l. or three months, you can prosecute for keeping for sale, I believe?—Yes.

1128. Will you tell me why prosecutions do not take place under that Act?—They have taken place under that Act.

1129. Are they numerous?—I think so.

1130. In your experience, do the magistrates commit to prison, or do they invariably fine?—They fine generally.

1131. Do you think that they ought to exercise their power of committing to prison more frequently than they do?—I think that, they ought; it would have a good effect.

1132. You stated that only a certain number of the constables are empowered to enter public-houses, or to look after the illicit sale of drink at all?—A certain number of officers in connection

Mr. Melden—continued.

with the service, the inspectors, acting inspectors, sergeants, and acting sergeants; and the inspectors and sergeants are authorised to visit the illicit houses and night houses, on a warrant obtained on sworn information, which warrant continues in operation for one month.

1133. You are aware, of course, that previous to the Act of 1874 no constable, unless armed with a warrant, could enter any house to stop the sale of illicit drink?—He could.

1134. In what case?—He could enter a grocer's shop or a beer-dealer's house by virtue of his office as a police constable previous to 1874.

1135. What was the necessity for the 2dnd Section of that Act, which enabled him to enter licensed premises for the purpose of searching for drink and so forth?—If you look at the 8 & 9 Vict., you will find that a constable can enter the premises of a spirit grocer by virtue of his office as a police constable.

1136. But not those of a publican?—No; they have to have a warrant signed by one of the commissioners of police, to authorise them to enter a public-house.

1137. May I ask why this provision was inserted in the Act of 1874: "Any constable may, for the purpose of preventing or detecting the violation of any of the provisions of the principal Act, or this Act, which it is his duty to enforce, at all times enter on any licensed premises and on any premises kept by a spirit grocer, and on any premises in respect of which an occasional licence is in force;" if he had that authority previous to that Act, where was the necessity for that section?—He had that authority previous to that Act.

1138. Then that section was not necessary to give him that authority?—No, not to enter that class of houses.

1139. Notwithstanding the provision in that Act, do I understand you to say that the police authorities do not give constables the power to enter houses for that purpose?—They do not. The commissioners of police, I think, very properly does not do so.

1140. Are any of the sergeants or inspectors armed with general warrants for entering premises?—Yes, they are.

1141. What kind of warrant?—A warrant obtained on sworn information before the magistrates.

1142. How many officers are armed with such warrants?—There may be 26 or 27 inspectors and sergeants in all.

1143. Are they specially selected for that duty?—That is their duty.

1144. Are they specially selected for it?—No, not specially selected.

1145. Are some 26 men always employed for that purpose?—No, the inspectors' divisions are sub-divided into sub-divisions; there are two inspectors and two acting inspectors in the different stations, and those officers are armed with warrants to visit the night-houses in their respective sub-divisions, and the sergeants have warrants also.

1146. Then there are about 26 armed with that power?—That is according to the informations lodged, and warrants obtained, but, as I tell you, it is very hard to get information against this class of dealers, to justify the magistrates in giving out warrants.

1147. What I want to ascertain from you is whether



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whether the same men are usually employed?—They are from time to time.

1148. And their appearance is perfectly well known to all those who are interested in keeping them from visiting them?—Yes, it is; they are as well known in plain clothes as in uniform.

1149. That is one of the principal reasons, I suppose, why the detection of offences is difficult?—Yes, it is.

1150. Would not the cause of the prevention of detection be altogether removed by giving warrants to men who are altogether strangers to the neighbourhood?—No, that would not have the slightest effect, for they would not be one night about a night-house that they would not be recognised afterwards. To show how hard it is to detect this class of traders, I was coming down Grasson-street about two o'clock between one and two o'clock in the morning, and I saw a constable in contact with an unfortunate female, I happened to come up, and I said, "What is the matter?" she said "I was sent up from College-street to this constable to take Mrs. Mack into custody for sending a sovereign from me." That Mrs. Mack was a most notorious right-house keeper; I said, "Did she take the sovereign?" "Yes," she said, and that I should take her in custody. I followed her up; "If you come up now," she said, "she will not open the door." She gave, with her parcel, a scrape at the door, and gave two knocks, and the door was opened, and Mrs. Mack was taken into custody. On the way this girl says to me, "You will find that she has a bottle under her petticoats now." When she got to the station I followed her to see whether that was the case. In Harry-street she succeeded in losing the string of the bottle, and down it came and smashed, and its contents flew about the street. She was subsequently searched in the station by the female searcher, and a glass measure and a half-glass measure were found in her pocket, so that she had the means in her power to carry on this illicit trade. I recollect, on another occasion, I arrested 23 one night in a night-house, before I was appointed superintendent, and on my way to the College-street station, one of the prisoners said: "If you allow me out on bail, I will tell you where Mrs. Williams keeps her whisky." I said "Very well, I will." I went back, and I remarked that she would never move from where she was sitting in a chair. The acting sergeant who was with me says, "Why are you sitting in the chair?" and he takes hold of her, and he gets a jar from under her in the chair. I saw that the cork was out of the jar, and it contained, I suppose, about three quarts of whisky. The night that I was there I saw the sergeant taking the cork out and putting it into it, and no matter how tight he put in the cork, it flew up out of the jar in a second. So that it is impossible to detect them, from the manner in which they carry on their illicit houses.

1151. Are there a large number of houses known to the police where this illicit trade is carried on?—Yes.

1152. And those houses, when the public-houses are not open, are frequented by a large number of persons?—Yes.

1153. That is perfectly well known to the police?—Yes.

1154. Where is the difficulty of securing an information and stating facts of that kind, and

Mr. Madden—continued.

getting power for any stranger, that is a police constable not known to them, to search those premises at any time he likes during a month?—The premises are searched night after night, and we cannot succeed in finding out where they keep the drink.

1155. Then it comes to this, that those persons who are employed are totally inefficient for the purpose?—No, it is not so.

1156. If there was Sunday closing in Dublin, would not the duties of the police be very much increased?—They would.

1157. Is it not a fact that it is from a fear of having their duties so much increased that the police are so much opposed to Sunday closing?—No, it is not a fact. They are opposed to it on public grounds; they are opposed to it for the sake of peace and good order.

1158. You were asked about *board-side* travellers, and I think you stated that the result would be that so many *board-side* travellers would apply for refreshments that the house would be virtually open?—Yes.

1159. Do not you think that the danger of giving drink to a large number of persons applying for it, calling themselves *board-side* travellers, although they are not so, would be quite a sufficient reason to prevent any houses being open if the police were alert and prosecuted in a few cases?—Yes, that might have a good effect.

1160. What would you say, if Sunday closing were to be introduced, to the prohibition of licensed publicans selling drink at all, and confining the sale of drink to *board-side* travellers merely to hotel-keepers; would that have a beneficial effect?—It might. The hotel-keeper has no more authority than the publican as regards a *board-side* traveller or a lodger, that is all the power that he has to keep open.

1161. If Sunday closing is to be enforced in Dublin, would you be prepared to recommend that the publican should be forbidden to sell to *board-side* travellers, and that the hotel-keepers only should be allowed that privilege?—I think it would not be fair to make any such distinction.

1162. Do you think that for the success and proper enforcement of the law that would be a good thing?—It might.

Mr. Mallesford.

1163. You said, I think, that in your opinion Sunday closing would increase intemperance?—I think so, with a certain class.

1164. Do you mean that it would increase the drinking at illicit houses, or increase the drinking at home?—Increase the drinking at illicit houses, and increase it at home, too, if it could be got.

1165. You say that there is less drunkenness on Sunday than on other days in Dublin; how much of that is to be attributed, do you think, to the earlier closing of public-houses?—The parties that go in to drink at those respectable public-houses do not go in for the purpose of indulging in drink; they go in more for the purpose of companionship, to have their chat over their glass of whatever they are taking, than anything else; those that go in at an early hour on Sundays are a very respectable class, they are young men in some of the most respectable commercial establishments in the City of Dublin; I know that those who resort to those respectable houses on Sundays do not go in there, and they would not

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be tolerated in one of those houses if they were under the influence of drink; I have never seen a man come out of one who was under the influence of drink.

1166. Your experience extends to the time before the shortening of the hours on Sundays?—Yes.

1167. What was the effect of shortening the hours, was it not to lessen the amount of drunkenness?—It was, of course.

1168. Then why do you not think that a further extension of that principle would continue to lessen drunkenness?—It might be so.

1169. Do you think that there is much drinking in the illicit houses after the public-houses are closed on Sundays?—Yes; it is then that they commence almost. They carry on an illicit trade all day, but when the public-houses are closed on Sunday nights, then their field is open for illicit trade.

1170. But it does not seem to lead to disorder and drunkenness?—In the locality that they reside in it does lead to disorder.

1171. But, on the whole, it does not lead to as much disorder or drunkenness as the amount which has been suppressed by the closing of public-houses?—No.

1172. Because you consider that the total amount of drunkenness is less than it was?—Yes, it is.

1173. Why do you think then that, if Sunday trading was carried out, the amount of drinking in illicit houses would be greater than the amount of drinking in public-houses now, when it is not

Mr. McKillop—continued.

so in the hours in which it has been tried?—If the Bill was carried out, and they had no other place to get drink in, they would go to the illicit houses, and consequently the increase would be treble the amount that it is at present.

1174. Probably they would drink something, but would it not be a fair influence from the experience of the past, that they would not drink as much as they would drink if the public-houses were opened?—They could not drink as much as if the public-houses were open of course, because they would not have the opportunity.

1175. Therefore, if they did not, it would not increase the intemperance?—Not unless with a certain class.

Lord Charles Beresford.

1176. Captain Talbot said that there were 117 known illicit houses now; do you think that they would be increased if the total closing movement was carried?—I am quite sure that there would be treble the amount.

Mr. Brown.

1177. Do you think that the establishment of reading-rooms and coffee-rooms and other places, where the working classes might have recreation, warmth, and light, in the evening would do more towards stopping the abuse of drinking than the closing of public-houses on Sunday?—It might. There are a class of people in the City of Dublin that nothing could save; you cannot warn them from drink, and you will have disorder, drunkenness, and illicit traffic in it while Dublin is Dublin.

Tuesday, 6th March 1877.

MEMBERS PRESENT:

Sir Michael Hicks Beach.  
Lord Charles Beresford.  
Mr. Maurice Brooks.  
Mr. Bruen.  
Dr. Cameron.  
Colonel Cole.  
Mr. Isa Hamilton.  
Mr. William Johnston.

Mr. Law.  
Mr. Meldon.  
Mr. Nulholland.  
Mr. Murphy.  
Mr. O'Shaughnessy.  
Mr. Richard Smyth.  
Mr. Sullivan.

THE RIGHT HONOURABLE SIR MICHAEL HICKS BEACH, BART., IN THE CHAIR.

Mr. F. R. FALKNER, Q. C., called in; and Examined.

Chairman.

1178. WHAT office do you hold?—I have been appointed Recorder of Dublin in the month of July last year. I may state that, in coming over to give evidence before this Committee, if it had not been for the principle of this measure having been affirmed by the Vote of this House, and by what I believed to be a large weight of public opinion in Ireland, I should hesitate very much indeed to express any strong view upon it, because I should be very sorry to take from the people a single pleasure which they have at present, which is consistent with their welfare; and on the other hand, I should be most desirous, according to my humble judgment and ability, to add to them as many as might be; and I recognise that much with regard to the future of this measure necessarily rests upon speculation; but, at the same time, having regard to the affirmation that I have spoken of both by the House and by the large expression of public opinion in the sister country, I cannot, after consideration, see any sufficient reason for a differential legislation, and above all, in the City of Dublin, where, I believe, the evils against which this measure is directed exist in a very aggravated form.

1179. Will you tell the Committee what your position as Recorder is, with reference to the licensing system in Dublin?—I am the sole licensing authority within the City of Dublin, not altogether within the metropolitan police force district, but within the municipal boundary of the city. I have a jurisdiction as appellate judge over the whole of the metropolitan police district, and in that way the licensing question comes before me upon the appeals of which many have been considered as not being taken from the magistrates, but as the primary licensing authority, my jurisdiction is within what is commonly called the municipal boundary, there I am the sole licensing authority. In other words, I perform an analogous function to that which in counties is represented by the general sessions of the peace; at the quarter sessions, in which all the magistrates take part, and in which, though presided over by the chairman of quarter sessions, the magistrates from their local knowledge exercise a very considerable function.

1180. Do you control not only the publicans

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Chairman—continued.

licensees, but the spirit grocers and the beer retailers' licensees?—I have the primary granting, and I am the original grantor of all publicans' licensees. I have nothing to do with those secondary licensees which you have referred to, such as spirit grocers and wholesale dealers, and beer sellers. But as I have said, all the decisions of the magistrates, both with respect to the punishment of offences against the law, and also as to the renewal of those licensees at their annual sessions, or if they grant them under special circumstances as well as ordinary circumstances, can come before me by way of appeal. I may mention that I had as many as a list of 30 appeals at my last quarter sessions just finished from the divisional magistrates.

1181. I suppose that in the work of the licensing sessions, the question of drunkenness in Dublin has come under your notice a good deal, has it not?—Yes, not merely as the licensing authority, but perhaps still more in the exercise of my very large criminal jurisdiction; and I was about to say that in the few months during which I have had the honour of holding my office, my views upon this whole subject have undergone a very considerable change. I have, since I became Recorder, been brought into contact with persons of the poorer population of my city, in a way that I never was before; I have no hesitation in saying that, that while I believe, and am very to say I believe, intemperance is a national vice in Ireland, I do not believe that it is confined to Ireland, I believe it is specially so in the City of Dublin. I may mention what, perhaps, is known to yourself, though perhaps not to all the honourable Members of the Committee, that the crime within the metropolitan police district of the City of Dublin, that is to say, the indictable crime, is 50 per cent. more in the year than in the whole of the rest of Ireland, including all the cities; figures which hardly are believable until they are verified as they have been. The numbers were 3,000 odd in the City of Dublin, as against 2,000 odd for the whole of the rest of Ireland in the year ending July 1876. As taken from the last volume of Dr. Neilson Hancock's Judicial Statistics, I say deliberately, that the vast majority of this large amount of crime with which I have

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I have to deal is owing, directly or indirectly, to intemperance and to intemperance. I might have some hesitation if I said that speaking for myself alone; but since I have sat, there have been several sessions of the Courts of Oyer and Terminer, and the courts presided over by the common law judges, and who divide with me the criminal jurisdiction (the cases are generally sent forward according to what season is next). In that time, Chief Justice Morris, Mr. Justice Keogh, Mr. Justice Fitzgerald, and, I think, Chief Baron Pollock, but I am sure as to the first three, have all expressed the very same opinion that I am now expressing with regard to the list before them; sometimes they put it as many as nine cases in every ten; however, those are only figures of speech in every sense of the word, but the fact remains that a vast amount of crime with which we have to deal in the City of Dublin, in this large gigantic disproportion to the rest of the country is, I say emphatically, due to intemperance. It is on that account that I offer, if I may venture, and if the Committee have the least wish to hear my very inconsiderable views upon the subject, it is this fact which chiefly has led me to believe that this question is rather a social than a magisterial one. It is not a question merely of the criminals whom we send to imprisonment or to penal servitude; but the matters which has driven the thing into my conscience for the last three months, has been the shrieks and cries of their miserable children and their wives, as they sat in my court, when the bread winner is sent to imprisonment, and it is therefore with great hesitation, for I need to hold the view that the less Parliament interfered with the habits of these people, constitutionally and politically, the better; but I have come to the conclusion that this great social question requires something like a wrench of the habits of the people, and a something which is to change their nature. People say let us wait, education will do it; Parliamentary grants for education are increasing year by year, and this evil is increasing year by year, until at length it has assumed such a proportion that, to the surprise of almost everybody, there has been a universal call for giving them, at least, a sober Sunday.

1182. Are you of opinion that the measure now before the Committee is calculated to have that effect?—As I said before, I speak with hesitation; it must rest in speculation, but that is the opinion to which, with hesitation, but after deep consideration, I have arrived.

1183. The point to which I wish to direct your special attention is the applicability of a measure to the district over which you preside as licensing officer to the City of Dublin; what is your view upon that subject?—I think, as I said, that differential legislation, assuming, and I am altogether assuming in what I have said, that this Bill in its principle was assented to, because it is of very little use to attempt to speculate now upon what may or may not be; but assuming that it is so, I do not see why the place that wants it the most is to have it least. I am perfectly aware that the great want of the measure in itself is a difficulty, because, of course, it is a greater wrench to the habits of the people, and that is what gives me the greatest hesitation in speaking; but after all I think that assuming that the principle of the means is adopted, I think the real question here is to grapple seriously

Chairman—continued.

with the objections which are made, I mean the objections that are made by those who would advocate differential legislation; and I will take first and foremost amongst those an obvious one, namely, that if the public-houses are all closed on Sundays there would naturally be a great attempt to increase what is already a very great evil, that is the illicit trading, which already exists largely in the less well-conducted licensed houses, and in the unlicensed houses during the closing hours on Sundays. I had one case before me where a police sergeant stated that he saw 168 people going one Sunday before 2 o'clock into a licensed house in two hours. That was one of the cases in which the renewal was stopped; that is illegal trading in an irregularly conducted licensed house that ought to know better and did know better.

1184. On that point I should like to put into your hand this return, which has been forwarded to me as Chairman of the Committee, in pursuance with my request made at the last sitting of the Committee, by the Chief Commissioner of the Dublin metropolitan police (*Showing the case to the House*), and in the lower part of that return you will see a return of the number of convictions for illicit sale on Sundays in each of the eight years last past; will you kindly state those figures to the Committee?—The number of convictions for illicit sale on Sundays in each year that I have, beginning at 1869, going *aristotia* through all the years up to last year, 1876, is 452. In the first year of these years it is 35, in the last it is 139, and in the intermediate years, in 1870, it is 32; in 1871, 21; in 1872, 32; then after the Licensing Act of 1873 we see a difference. In 1873 it is 32; in 1874, 54; in 1875, 87, and in 1876, 139. I was just about to say something which is rather falsified by that return, and it is this: that to prevent misunderstanding, I wish to say that nobody entertains higher, or perhaps as high, an opinion as I do of the Dublin metropolitan police force. I say that from the honoured commandant, Sir Henry Lake, to the lowest orders in the ranks; but at the same time I should be concealing my real opinion if I did not say that I think there has been, with regard generally to the administration of the licensing law and the law against intemperance, some supineness in past years, which has very much been remedied for the better now. This very return shows it, because the convictions in the year 1869 are 35, and in the year 1876 are 139. But it is fair for me to say with respect to the police, that I believe any supineness on their part which has been in the past, is to a large extent a reflection of the general apathy on the part of the public largely. I think that the police force can do anything in which they are supported by the public voice and by their own authorities; but it could not be expected that a policeman would wish to take the invidious position of summoning and having heavily convicted, or having a man's livelihood taken away, by opposing at the renewal sessions a person who was not committing a police offence, as a policeman's idea would understand it, that is to say, who was not committing any breach of the peace, but who was quietly going in and getting a glass of whiskey; and I think that is the reason why, to a very large extent, there was a certain amount of laxity, but the public opinion has been very largely increased owing to a large variety of circumstances within

*Chairman—continued.*

within the last few years. I would attribute that great change to the Act of Parliament which appointed annual licensing sessions in Ireland, which had not existed there before, although they had been in England. I believe, since the time of George the Fourth. What I mean by that is this, it has brought the condition of things into a focus, and focused the light, if I may so say, upon this dark place. Previously, all through the year, an application might be made at any time before the divisional magistrate, and he asks, What about this case? The policeman who is there is unsupported by anybody else, and he says: I do not know anything very bad about the house, and the matter passed over; but when all those cases are drawn together, and what offences after offences is proved and concentrated together by people day after day in the session those cases come before them, and the drunkenness and the consequences of the drunkenness, and the offences, and the consequences of the offences, are all brought together, and the magistrate's mind is naturally acted upon; and so much has this created a strong repulsion of feeling that the Government lately, if I may so with deference, most properly have arranged that the police are now to be supported by somebody representing the Crown, usually Mr. Murphy, or one of his colleagues, as Crown counsel; and the effect of that is enormous, because, previously, what happened was this, that law and order and temperance were all represented by the poor policeman now prosecuting, and in giving his evidence he is torn to pieces by a very clever attorney on the other side, and he is made to appear all unpopular person, as a person who is hunting down the poor publican; and then the magistrate is also weakened, naturally every body who has been in a court of justice knows that that must be the case, but now when the Crown appear and the police are supported, and all that browbeating of witnesses is at an end, the police are supported, and the policeman gets strength, and, if I may say so, the magistrate gets strength. I am not saying anything of the divisional magistrates that I do not say of myself. It has exactly the same effect upon my own mind as it would upon any judicial mind. I have no hesitation in saying that that, with the declaration of the judicial mind, also has largely stimulated public opinion upon this subject.

1185. You attribute the increase of convictions for illicit trading on Sunday to that cause, but do you not think that there might be another cause also to which it might be attributed—was any change made in the law with regard to the hours of sale on Sunday, in the years for which you are quoting those figures?—The last great change was made in 1872, when the hours were shortened.

1186. Do you gather anything on that point from those figures?—Very little, for the reasons that I have mentioned. I was going to give you some others.

1187. Your experience as Recorder is very short, but, so far as it has gone, do you think that illicit trading in Dublin is on the increase or not?—I think that after last year it will be very much on the decrease. I think it was lessened at the last annual session, which will not be disputed. I wish to give some reasons for what I have stated, because I hope nobody has understood me as making any charge against the

*Chairman—continued.*

police; on the contrary, I have endeavoured to guard against that, and when I venture to give some points on which I conceive that formerly their views were wrong, in giving my opinion on the cause of impotence in the past, there has been much greater activity of late. The first fact that I will state is this: while I was holding my last session, I saw a case which has been very often mentioned since in my court, in which a man who was a spirit grocer came before the Bankruptcy Court, and was ordered as a bankrupt; and when he was being interrogated by the judge as to the cause of his bankruptcy, he said, with admirable naivety, that for four years he had been conducting his business, and his chief livelihood, or the chief means of carrying on his business, was by means of irregular traffic, as I think he called it, namely, by selling upon the premises, which his license did not authorize him to do; and although, of course, that act in that trade was an illegal act for which he was capable of being heavily punished, yet he said that, when he found this year that the police were in earnest about it, he saw after four years that he must give up. That is one fact. I will give you another. At my annual licensing sessions in October last, the people who are very largely interested in promoting temperance were represented. There were several applications made to me by spirit grocers, asking to have their licenses extended, that is, to have publicans' licenses; and there was all sorts of influence brought to bear upon me, even signatures of honorable Members of this House were upon many memorials before me, and the highest character was given to some of those people. There were three who had the very highest characters given to them. There was a witness produced, and this witness proved that he was given by a society that employed him I.L. and desired to go out, and he called at 19 of those spirit grocers' houses. He used no great trick or subterfuge, but he simply walked in, and he asked for a glass of whiskey to be consumed on the premises; and because he had a red nose he was not for one instant suspected by anybody; he carried a set of countenances on his face, and the exquisite simplicity of the affair was this, that he was not asked a single question, but given him at once by 17 of them. Further, what has been proved before me and before the magistrates, over and over again, is this, that there is a system of watchers established. A watch means this, that there are little boys in the neighbourhood of those houses where irregularities are committed, both licensed houses and unlicensed houses; I mean the licensed houses that are going to commit irregularities against their license, such as selling in closing hours, &c. There are regular pickets, and the moment that a sergeant of police comes in sight it is instantly telegraphed along the line way, or according to the position of the place, and then when the sergeant comes up in the panoply of his blue uniform, and walks into the place, all is perfectly serene, and there is no offence against the law. The magistrates have very properly stated, and I have stated publicly, in every single case, that where I find that a watcher is employed, I will draw the inference upon the evidence that it is to conceal irregularities; and therefore although there may not be room to convict of the particular offence, there may be quite enough to hold that the house is irregularly conducted, and the license

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will be stopped; and I believe, as the effect of that, we shall have an enormous benefit. With respect to that I want to add this, and again I hope I shall not be misunderstood. I think Captain Talbot, with regard to whom I wish to speak with the most entire respect, made a statement the other day to which I must enter my most emphatic dissent, and that was when he said that the employment of policemen without their uniforms to go in for the purpose of discovering those offences is discontinued, or shall be discontinued by the authorities. So far from the judges discontinuing it, they recommend that there should be police without uniform in the metropolis, so as to make a portion of the Dublin police force therefore detectives; and although far as it from me for one moment to say anything to recommend anything like the Continental system of espionage of an improper character, such as the deceiving of people into offences, in order afterwards to charge them upon them, yet at the same time I do deliberately state that the police force who will not condescend to plans for detection are, with respect to illicit trading like this, utterly worthless. The idea of a policeman saying that he will only march in his uniform, with the decoration which he has upon every button, even when the light is obscure, is just merely to say this, which I think in one of the philippics Demosthenes says to the Athenians when they were letting Philip know their designs, that it was like a man fighting with a boxer, who before he strikes his adversary says, "Now I am going to hit you in the face, now I am going to hit you in the breast." And therefore when I say that I believe that illicit trading can be put down by the police if they are supported by public opinion, and really are in earnest about it, I mean that they must resort to the same means for the purpose of detecting this offence against the law as they would if it was an offence against property, such as larceny, or any other such offence, in which I have never understood them to have these proud ideas.

1188. To turn your attention from the question of illicit trading to that of drunkenness itself, there are some statistics in this paper which I put before you with respect to the arrests for drunkenness in Dublin each year on Sundays; will you kindly state them to the Committee?—They are for the same years, from 1869 to 1876, *scilicet*. The number of arrests on Sundays by the police in 1869 was 2,920; 3,070 in 1870; 2,878 in 1871; 2,484 in 1872; 2,361 in 1873; 2,298 in 1874; 2,348 in 1875; and 2,492 in 1876.

1189. Do you think that drunkenness on Sundays has increased or diminished?—I think I ought to have said that I do not think myself that intemperance in Dublin, or perhaps in Ireland, is confined to Sunday at all; I think that there may be some misconception about that.

1190. Do you think that drunkenness on Sundays in Dublin has increased?—No; these figures show somewhat a diminution since 1871. It is a slight increase since 1873, but I do not think that would be very material.

1191. Do you find anything in these figures which at all coincides to any great extent with the change of the law, which was made in 1872?—Hardly, because 1873, of course, was the year in which the Bill passed, but then it was in August of that year, and the numbers are as nearly as possible the same as in 1876.

Chairman—continued.

1192. Therefore, though you do not trace much influence from that particular Act, it does appear from the number of arrests for drunkenness, so far as is shown by the number of arrests, has rather diminished in Dublin than increased in these eight years?—Yes, decidedly.

1193. I think that you stated quite early in your evidence, that the public-houses in Dublin were very largely used on Sundays as well as on other days?—Yes.

1194. What would be your view, supposing that this Act were adopted in Dublin in its entirety, of the effect which its adoption would have upon the convenience of the people who use these public-houses, but who do not necessarily get drunk in them?—That is what I think is the great difficulty in this case. I think it much more important than the other, because I have come to the conclusion, rightly or wrongly, that our police could do a great deal more to put down illicit trading if, as I say, they were supported; but this is where I see the real difficulty. I may state at once, that first of all I think the principle of the measure answers the question to a large extent. Of course it does not answer the question as you put it to me confining it to Dublin, but I mean that it is an answer to the argument to a certain extent; and I say, secondly, that I never would advocate this measure if I believed it was only to be a measure of repression.

1195. Did you not rather advocate it as a measure of repression in the early part of your evidence?—Yes, but coupled with this, that I believe there is on foot several movements for the social elevation of the people, and their moral improvement, which, if they were not in existence, I would never ask to do a thing which is only to be repressive.

1196. Therefore you consider that its adoption in Dublin would largely interfere with the convenience of the people?—Yes; but in every other great social change it is a balance of convenience; and no doubt, as I said before, we would not for one instant interfere with people's sociability in their habits, unless there was some strong ground for it; and unless Parliament had affirmed that as a ground expressly for passing this for the whole country. This is what I mean, that in every case of legislation it must be a compromise of conveniences which we place in the balance as against those consequences which must be felt to be a hardship. But then we want Dublin to give a tone to all the rest of Ireland, and it ought to give a tone of thought and culture, instead of taking the initiative in intemperance; I say, then, that the same rule applies here according to my most humble judgment; I do not degenerate for one moment upon this question.

1197. Will you turn your attention from drunkards to the drinkers; it is admitted that a very large number of people use public-houses in Dublin on Sundays, many of whom, of course, do not get drunk; you have admitted that it would greatly interfere with their convenience; does it not occur to you that from the very fact of their using public-houses in this way, the interference in Dublin, for instance, must be greater than in the country parts of Ireland, and, therefore, the social inconvenience would be very great indeed?—That is quite true; as I said before the great call for the measure was the very thing that created the difficulty; because, of course, the multiplication

*Chairman*—continued.

multiplication table has to be applied to the inconveniences.

1198. In your opinion is the call for the measure, so far as Dublin is concerned, from the people who could be taken in any degree to represent those who do use public-houses on Sunday?—I would have thought that it was, because this measure passed the House of Commons by a large majority last year.

1199. I want to confine your attention to Dublin?—I am speaking of Dublin, and what I was going to say was, that notwithstanding that though it appeared very plain that there was going to be something done, the very people in support of whose convenience your question is directed, do not appear to me to have taken any step; I am speaking only as one of the public; of course the Committee know better than I do, but it appeared to me to be considered most popular, and that everybody hailed it with satisfaction; and I was going to say this, that with regard to the very class you speak of, namely, those who use public-houses, and do not abuse them, that is to say, who do not get drunk, there is a terrible maelstrom of wages on the Sunday; the people have no other amusement; and, so far from wanting to take from their pleasures I want to add to them; it is not as a magistrate that I am speaking; perhaps I should only speak as a magistrate here, but it is not on magisterial grounds that I would like this done. I want to see the people getting more pleasure, but they have none almost now, so far as I can see, except drinking; and perhaps it may be in the recollection of the Committee that in his evidence given on Friday, Captain Talbot said that the people would be so inconvenienced that they could not procure drink for Sunday on Saturday evenings, or upon the other days, because they had no storage in their homes; if that were so the statement was a little inconsistent with what he said about the pretty banners and dresses of the people who went there on Sunday; it is largely true what he said, and I ask could there be a more awful picture given of the homes of the city than that is?—You have miles and miles of streets of chronic squalor in our city, and it is that which I want to see put an end to; I believe that a sober Sunday would make people begin to cultivate their homes, which they do not do now.

1200. Supposing they have no home to cultivate, what then?—That is exactly what I think; and that has brought my considerations to a focus. I say that if there is a perfunctory sober Sunday, I am not speaking as a Sabbatarian at all, but if there is a perfunctory sober Sunday, the people will be drawn into social improvements, whereas if they are allowed full license of their sole and only pleasure, as in the bad past, I do not see how their best friends, and I wish to count myself amongst them, are to better them.

1201. Supposing it to be the fact that drinking in public-houses is the sole and only pleasure of the people in Dublin on Sundays, do not you think that it might be wiser, and possibly safer, to endeavour to provide other pleasures for them first before you stopped that one?—I think that is a most wise question, and it is upon that that I have wavered. I think that that is a most urgent question, and I have answered it as well as I could to myself. It has largely occurred to me, and I have answered it by this; that as the

*Chairman*—continued.

measure is now passed, it would be better if there were no exceptions. A uniform law is much less invidious; it is less anomalous, and is generally more easily carried out than partial or differential legislation. I am speaking again with great hesitation. I think that if a uniform law was applied to the large populations, the efforts of those who would wish to benefit them would be far more likely to be successful at once. For instance, a great deal is said about their convenience. I believe that the inconvenience that is spoken of, and which I do not think is anything like so large as is supposed, but with a continually increasing number it would be largely obliterated by the introduction of properly conducted and real coffee-houses; I do not mean places where they are to get twice boiled meat, but places where they can get really good refreshment, and where they can get good mineral waters.

1202. Has any attempt been made at present to introduce such houses?—Yes, there has, and so far successfully, but it is only partial.

1203. With reference to the homes of the people, has any attempt been made to improve them?—Yes, there has been. I was very glad that his Grace the Duke of Marlborough, in a very statesmanlike speech which he made at the Mansion House a few weeks ago, gave a strong moral support to the endeavour which the Corporation are now undertaking of applying Mr. Cross's Act to the city.

1204. With regard to the outdoor recreation of the people, is there any change now in contemplation?—I am very happy to congratulate both the country and the Government upon what I believe has been arranged, that St. Stephen's Green is going to be opened to the public, and the Government are going to take charge of it.

1205. If all these movements are in immediate progress, might it not be better to wait a little to see their effect?—I think I ought at once to answer that it might. I do not mean by that, that in my opinion it would, but I do not consider that I am competent to answer such a very difficult question as that seems to me: I have given the best answer that I could before. I may state in addition to that, that there is a project for the opening of a public library under the sanction of the civic authority, and that we also hope to see music and the cultivation of flowers in their homes, which has very much contributed to the happiness of people of the poorer classes in the great English cities, and notably in this great metropolis, and which may be cultivated amongst our people too.

1206. All such improvements will, would you think, tend to wean away the people from their bad habits?—Yes, unless they are weaned away from cultivating these things by their existing habit of intemperance, and that is the question where the difficulty is.

1207. The only question is what are the best means to arrive at the end which is so much desired?—Yes, exactly so. I think that a responsible and calm Legislature must form a better opinion upon that than a magistrate.

1208. Still you have told us that Dublin is, to a considerable extent, exceptional in the drinking habits of the people?—Yes, it is my strong opinion that it is.

1209. And in their want of home accommodation and other pleasures?—I think that there is a vicious circle in rotation. I think that the wretchedness

Mr.  
Talbot,  
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Mr.  
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wretchedness of their homes drives them to the only pleasure that they have, namely, intemperance; and I think that on the other hand, in many cases certainly, this pleasure would prevent them from cultivating their homes, and I wish to say that I am not speaking only of those who go into public-houses. I have far more in my mind, namely, the little children whom I see, when I walk through the slums of the city, in tens and twenties gathering around those wretched places, without one single joy of childhood crossing their youthful and infantine path.

1210. That applies to week days as well as Sundays, does it not?—Yes; no Act of Parliament can suddenly change the habits of the people, but I do not know any great moral force so likely to effect what I think everybody has in view, which is not the repression of the people, but their elevation, as a sober Sunday, which will save the wages, will give them rest and wholesome recreation, and will keep them from what with them is revelling and reckless expenditure, as their only means of pleasure.

Mr. Law.

1211. From your knowledge of the habits of the citizens of Dublin of all classes, supposing this measure were applied to Dublin as a case, would you apprehend any serious consequences in the shape of riot?—No, I would not, because again I say I think that our police are able to do anything that mortal man can do in that way, if they are supported by public opinion; and besides, to do the people justice, when once they find that the opinion of the authorities is in favour of a certain course, and is determined in that direction, they are usually law abiding.

1212. Again, from your knowledge of the habits of the people, and of the efficiency of the police, would you apprehend any greatly increased use of unlicensed houses?—There certainly would be an attempt at increasing illicit traffic.

1213. But do you think that that attempt would, on the whole, considering the efficiency of the police, be successful?—I do not think it would, and I ought to add this, that even according to the suggestion that I have heard of, shortening the hours on Sundays, I mean contracting even the period in the Act of 1872, that of itself would have largely this effect: therefore, it is only a question of degree.

1214. What I want to know is, do you think that the attempt would be such, that the police could not cope with it?—I have already expressed a strong opinion, that if the police are really supported by public opinion, and by the authorities, and people outside, as I said before, to use the same means which they would use if it was to put down widespread larceny or widespread smuggling, if they were called upon to do it, I believe that they are quite capable of coping with it. I must say that I believe that all the illicit trading which has existed has arisen from a sort of loose feeling among the people, that after all it is not so very much guilt, as illustrated by that case of the man in the Bankruptcy Court.

1215. When you speak of illicit traffic, do you refer to irregular sales by spirit grocers of drink to be consumed on the premises, or to the sale of liquor by wholly unlicensed houses?—I refer to both; and

Mr. Law—continued.

curiously enough, I had two cases come up exactly beside each other. One was where a sergeant of police stated, that, I think, 113 people had gone, in the course of an hour and a half or two hours, into an unlicensed house on a Sunday, in the morning; and immediately after him, another sergeant in the very next case, gave evidence of 168, which was the case I mentioned before, going into a licensed house at irregular hours. In the case of the unlicensed house, the sergeant stated that he had a warrant out for a year, but that he never was able to get at anything that would support a conviction. I told him that I thought it was wrong, because I thought he had plenty of evidence, and I thought that he very greatly erred in that case in not acting upon the suspicious circumstances. But when the case came before the magistrates, they stopped the renewal on the ground of the irregularity of conduct in the case of a licensed house; and in the case of the other there was a very heavy fine, in which I affirmed the magistrates' opinion; but I may say this, that I should very much like to see that a little more use be made of the 35th Section of the Act of 1872, which, upon sworn information, allows a warrant to be issued which remains in existence a whole year. That seems to me to be quite sufficient to deal with the case of a suspected house.

1216. That merely applies to licensed premises, does it not?—It is with regard to all houses; the reason I ask it is this, that this sergeant told me that he had been for a whole year suspecting this house; but that there was a picket, as I mentioned before, who watched him, and who was always in the habit of giving notice when he appeared within sight, round the corner, and that, therefore, when he went to the place he was unable to make anything of it. I did not see why he should not have got out a warrant long before.

1217. Would you apprehend an increase of drinking, or a decrease of drinking, in the licensed and unlicensed houses together, from the operation of Sunday closing?—I should be very sorry to see the measure passed if I did not anticipate a great decrease.

1218. On the whole, would you say that, considering the inconvenience to some people on the one side, and the benefit direct and indirect of temperance on the other, the balance of advantage would be very largely on the side of passing the proposed measure?—Yes; assuming that society are in earnest in the several measures which they have in progress for bettering the people. I think that if this measure passed, I may be too sanguine, or even quixotic, but I think that society would feel itself pledged to go on with these things.

1219. I understand you to say that it would act as a stimulus to the improvement of the people's homes, and providing them with innocent recreations?—Yes, exactly.

Mr. Richard Smyth.

1220. Do you find that during the last eight years the crime of drunkenness has not increased, so far as you can judge from the charges preferred in court?—The return from which I have been quoting has reference only to Sundays.

1221. Do you find that other crimes, besides the crime of drunkenness, are sometimes committed on Sundays, or on Sunday nights?—Yes, very



Mr. Richard Smyth—continued.

very largely; on Saturday and Sunday nights I think there are more.

1222. Might it not be then that the drunkenness is really included in the graver charge, and that therefore the mere fact of drunkenness disappears in the charge, perhaps, of assault?—Yes, but I do not think that that ought to vary these figures very much, because it would be open to both periods: that is to say, it would be no element. The increment of cases, as I understand you, where probably the drunkenness was merged in the greater crime, would be a plus quantity to add to all the rest.

1223. You have had experience of only part of a year as Recorder of the City of Dublin?—Yes, but I have had seven criminal sessions during that period.

1224. Do you think that if you had 20 years' experience, similar to that of the last seven or eight months, it would cause you to alter your opinion: is there any likelihood that your opinion would change?—No; on the contrary it is fair to say that I was against it, and if I had had the privilege of voting in the house upon it, I would have voted against this measure a year ago, but I have changed my mind.

1225. So that in point of fact you have had sufficient time to see what is going on in Dublin?—Yes, it is only by a growing experience, which was already a wide one at those quarter sessions, where I tried a list of 96 persons, which is as much as the Recorder of London is doing now; and then as soon as I had finished my civil business I took up the adjourned session, and a month afterwards I had a list of 34.

1226. Referring to the convenience of the people, do you think that it is for their convenience that they should have an opportunity of going in a very large number to the public-houses on Sunday; and that they should be encouraged to avail themselves of that convenience?—I think that the Sunday traffic is the vortex of wages.

1227. When we speak of the convenience of the people, do you not think that we are really thinking of the inclination of the people rather than of their convenience?—I would go a little further than that. I think that we must take the world as it is, and assuming that we were doing nothing but repressing them, we should be taking away from them the only pleasure they have; it is a sorry pleasure that they have, but it is the only one that they have, and I think that it would interfere with their convenience.

1228. Supposing that we find that the large majority of householders, that is, the heads of houses in the City of Dublin, are in favour of Sunday closing, and yet, nevertheless, a decided majority of the adult population of Dublin use the public-houses on Sunday, what inference would you draw from that circumstance?—I think that a great many people use the public-houses as a great many people do weak things, who would be very well satisfied if their power of yielding to temptation was taken away from them. If some of those who have been largely signing a petition to Parliament in favour of this measure, on cross-examination turned out very largely to be in the habit of going into public-houses on Sunday, perhaps some of them would have the greater reason to desire to be free from temptation.

1229. Take the case of a single family, and that the head of that family very decidedly under

Mr. Richard Smyth—continued.

his own hand expresses his opinion in favour of Sunday closing, and that he has in his family two sons and two daughters from 22 years of age to 16, who, to his knowledge, are in the habit of using public-houses on Sunday, do you say that the public-house ought to be kept open for the convenience of these young people, whilst the head of the house is opposed to it?—I hold the constitutional principles, both with regard to the people and to the family. I have a great deal of respect for parental authority, and I think that, as a general rule, the father of a family is able to judge for the happiness and welfare of his children better than his young sons, who are in the season of temptation.

1230. Have the people fewer amusements in Dublin on Sundays, do you think, than in other places in Ireland?—Decidedly; because, speaking of my own southern counties, until the depletion of the population by the great changes in Ireland of recent years by emigration, Sunday was a day of great recreation; they used to have hurling matches and such things. I mention that as one of the very things which I want to see done. I wish to see young men going out into the suburbs and playing cricket, as they do in the suburbs of English towns. Our young men do not know anything about cricket, as a general rule, and even in the public-houses they have not the amusements that the French have, of dominoes and backgammon. They are the most ignorant people in respect to the comforts of home and to the way of amusing themselves (and I am saying that in all kindness and love of them, and not by way of disparagement) that exist in the civilised world.

Dr. Crookes.

1231. When you speak about the want of amusements, and enumerate among the amusements that you wish to see started, the opening of Stephen's Green, is it not the fact that you have a great number of much superior places of amusement already open on Sunday, the Phoenix Park, for instance?—Yes; it is a great advantage, the opening of the Park, and there are beautiful Botanic Gardens connected with the Royal Dublin Society, which has a large Government grant; and there was a great question amongst the strict Sabbatharians. I speak of them, of course, with all respect for their opinions; but there was a great question with them as to this Sunday closing for a very long time, but I think they were a little wanting in sympathy, and did not agree with it; but it was opened with the most beneficial results; but it is a very long distance off. And, in reference to the people in the packed population in the south of Dublin, you might just as well desire them to go to Kensington Gardens as bid them go there.

1232. You have tramways running frequently to the Phoenix Park on Sundays and other days, have you not?—Yes, we have; and they run with great frequency.

1233. Have you a picture gallery open in connection with the Royal Dublin Society?—I am not aware whether it is open or not on Sunday. The Government are engaged, or rather there is a question going on as to the opening of the Museum of Art in Dublin; but the museum is in the most fashionable part of the city, and I think that the poor people do not care very much to go there.

Mr.  
Fitcher,  
a. c.  
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1234. You

Mr.  
Falkner,  
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Dr. Cameron—continued.

1234. You have got the facility of getting out of Dublin, and evidence has been given that a great majority of the people of Dublin do indulge in excursions on Sundays?—I wish they did. A large number of them go; but that is not counting for the poor citizens who never stir out of their wretched streets.

1235. You say, do you not, that there is a great difference between the population of Dublin, as to their drinking habits, and the population of other towns?—I did not exactly put it in that way, because I am not speaking with experience of other parts of the country. I only say that the crime in the City of Dublin is 30 per cent. more than in the whole of the rest of Ireland, because, except they are very much debased, the people are not a drinking population at all. I say that the great majority of the crimes arise from intemperance.

1236. In other words, what you say is, that the people of Dublin are more drunken than the people of the rural towns?—I do not wish to put it in that way, except as I have done.

1237. You say that there is more drinking in Dublin?—I would rather put it in the way that I have done. I have said that there is 30 per cent. more of crime in Dublin than there is in the whole of the rest of Ireland together. I do believe that it is larger in Dublin than anywhere else.

1238. Would it not follow that there is 30 per cent. more necessity for Sunday closing in Dublin than in those other towns?—I think there is; but what the Right honourable Chairman has said is also to be borne in mind, that every circumstance of that kind calling for a change, in itself presents this difficulty, that a change in the habits of the people must be increased in some degree.

1239. I mean the inconvenience occasioned by dealing with 30 per cent. more of crime, which you say exists in Dublin, would be felt more strongly by the criminal population in Dublin than it would be in places where crime is less?—Yes, by the criminals of course.

1240. What is there peculiar in the case of Dublin to prevent people laying by any provision of drink that they wish, any more than in the case of the rural towns?—I think, with regard to that, I should have also added that as the people have the power of procuring liquor on Saturdays that would be rather a safety-valve to the inconveniences of this measure; and although Captain Talbot said on Friday that they had not storage in their houses; and although nobody has a worse opinion than I have of the miserable condition of their houses, I think there are very few homes indeed that would not be capable of that amount of storage.

1241. Is there anything in the condition of the outlying townships in the metropolitan district to render the proposal to close the public-houses on Sundays inapplicable to them; is there anything in the circumstances of Kingstown, Blackrock, Booterstown, Rathmines, and so on?—Only in so far as the question of excursionists is concerned; it could only arise in that way; otherwise you may have seen that the township of Rathmines very largely complained the other day, and asked that they should not be excluded. They would suffer much less inconvenience, because they have not got the closely-packed public-house frequenting population.

Dr. Cameron—continued.

1242. You are aware that the Bill before the Committee makes a provision for exempting a *land-fide* traveller from the prohibition?—I am greatly afraid that, unless that is guarded, great difficulty will be found with regard to it, so far as excursionists are concerned.

1243. How would it be likely to work?—I think it would work very unfairly in the first instance to the class which I think ought to have fair and reasonable protection, and that is the licensed houses. To do them justice as regards a large number of them, they are supporters and maintainers of law, and I think there would be a gross abuse from that cause. I believe that unless it is guarded in some way by Parliament, it will be grossly abused.

1244. What is your opinion of the guard which exists under the Scotch system, in which public-houses are absolutely closed, and grocers are absolutely closed on Sundays, and the only licensed houses allowed to sell to *land-fide* travellers are the holders of hotel licences?—I think that that is a mitigation of the evil, of course; but it is only since I came to London that I met a Scotchman, and I was asking him as to its application in Glasgow, and he told me that people go out and treat the stevens on the Clyde at public-houses, and get a quantity of drink there; still it is much less than if it were otherwise.

1245. You are aware that the licences held by the stevens do not come under the same restrictions of the law as those held by places of entertainment on land?—I do not know about that. I only mention that that fact was told me.

Mr. O'Shaughnessy.

1246. If you had your choice now between total closing on Sunday and partial closing on Sunday, and lessened hours on Saturday evening, which do you think would be most beneficial to the people of Dublin?—Really that is one of those questions which rests so largely in speculation, that first of all my opinion would not be nearly so good as that of most honourable Members who are present.

1247. If you are able to form an opinion, will you be so good as to state it?—I know this, that speaking generally, I have been informed by one of the magistrates who is here, and I know it is the case, that there is a greater amount of drinking on Saturday than there is on Sunday; and therefore I think, with regard to the immediate effect, it perhaps might be better to have the partial closing restriction on Saturday and on Sunday, but I do not think that the moral and social change would be so great, and therefore I do not think that in the ultimate result it would be as successful.

1248. Supposing that the moral and social change of total closing on Sunday were too sudden in its effects, do not you think that a gradual social change would be rather more certain of being a benefit than otherwise?—It would be a break no doubt. As I said in answer to the Right honourable Chairman, that is a very difficult subject to speak upon.

1249. Upon which you do not like to speculate?—No doubt, in that respect.

1250. You spoke of crime being committed on Saturday and Sunday from drink; have you any means of saying, from the experience of your tribunal, whether the crime committed on Saturday

Mr. O'Sullivan—continued.

is or is not greater than the crime committed on Sunday?—The crime committed on Saturday, as the magistrates returns show, is greater.

1251. Possibly one effect of stopping the drinking on Saturday evening would be to lessen that great amount of crime on that day?—Yes; I should be very glad to see the hours shortened on Saturday, qualifying that by saying, assuming it is not to be mere repression.

1252. Then the additional effect of restricted hours on Saturday would be this, that there would be less time for drinking on Sunday on the part of the men who had been drinking on the Saturday night?—Yes; but at the same time I have been turning it over in my mind, and I think I said that a man who has begun to drink on Saturday, if there is a public-house open, will be certain to go in again and drink on the Sunday, and then his wages would be in the condition in which I have been told they are. An employer of labour told me the other day that several of his best men had nothing on Wednesday for their families.

1253. But *ceteris paribus*, supposing that a man leaves the public-house at 9 on Saturday night and goes to bed by 10, he would have gone, to use a vulgar expression, "less on the head," and he would have far less thirst on the Sunday morning?—Yes, decidedly.

1254. You seem to dwell very much upon this, that you wish for uniformity of law between the different parts of Ireland?—Yes; I should not wish to see Dublin, which ought to be the centre of civilisation, the centre of drinking on Sunday. I am perfectly certain of this, that if a distinction is made you will find that a lot of people will come in from Howth and from Bray, and from the rest of the places; and it is a case in which the Act would be doing a very great injustice to the licensed houses, and I must say that they ought to have them according to all mercantile fair play.

1255. Are you aware that there exists at present different regulations as to different localities with regard to closing hours on Sunday?—Yes.

1256. That difference of the closing hours does not cause any particular inconvenience, does it?—No, because I apprehend that the degree is not largely inconvenient; it is only between two hours on Sunday and on a week day.

1257. Professor Smyth put to you whether the father of a family should not be the person to consult as to the facilities that his sons should have for drinking on Sundays; take the ordinary case of a father 60 years of age, or 55 years of age, with sons of 21, 25, and 30 years of age, did you ever hear of a State which left to the father of grown-up children like that the power of regulating, by law, the social habits of his children?—I think since the time of the old Roman Commonwealth there have been cases like that of the family of Manlius.

1258. We have heard from the police authorities in Dublin that one of the great difficulties which they saw in this measure was the danger of the growth of illicit drinking; do you recognise the possibility of such a danger existing?—I have said so all along, that I think it is the great difficulty, but I wish to add that I believe that if the illicit traffic is really put down, or is more substantially put down, it would do what I would very much wish to see done, namely, that

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people will really find that it compensates the regular traders for any loss that they will sustain by closing on Sunday. One of their representatives, Mr. Dwyer, who is often examined before me, and has given me great assistance from the side of the public, has stated that the stricter enforcement of the law has had very beneficial results of late.

1259. Just bear the existence of that danger in mind in the question that I am now going to ask you; you say that you would not be in favour of repressive legislation unless other improvements were in course of progress; I presume that one of your reasons for that is this, that the inconvenience which repressive legislation would cause might inconvenience people as much as the increase of the danger of illicit trading?—It was rather for the people themselves that I would advocate it; I would not take away one single pleasure from them, unless I could give them a substitute, and I would speak in this case as a friend, and not as a judge.

1260. Having regard to the existence of that danger, do you not think it would be safer that both these tendencies should go on together, namely, gradual repression and gradual improvements, than that there should be disrepression?—I have already stated that that is a difficult question, and I thought that there was an immense deal in it. When the Right honourable Chairman asked me the question, I assented to it, with the qualification that on the whole I thought that the reasons were a little stronger for the uniform adoption of the principle, but then that was only my view, and given with the most entire hesitation.

1261. We were told here the other day by Inspector Corr, that no detective force on the part of the police would be able to cope, he feared, with what the illicit drinking would be on Sunday, if Sunday closing became the law; do you know enough of the difficulties that the police have to meet, and the power of their organisation, to be able to say that any efforts on their part, no matter how supported by public opinion, would be able to put down illicit drinking?—I take it along with all that I have seen in my own court of the effect of greater activity with the statement which I said I dissented from on his part, namely, that the police were not to resort to the ordinary common sense plans of detection, which they would do in any other case; if they will only come in in full dress uniform and show themselves, I quite admit that they cannot cope with it; but they certainly will not have any magisterial countenance from me in the adoption of any such general view as that they are not to resort to detection; I think they ought, and I think they should be obliged to do it.

1262. With regard to the penalties inflicted on this illicit drinking, do you not think that it would be a good thing if the police magistrate, and the magistrates generally, had the power to impose much heavier and more substantial penalties for illicit drinking in unlicensed houses than at present exists?—I would not like to lay down any rule with regard to those unfortunate people; so far as I am *see*, some of these I know are in the habit of being very glad to pay the fine as a sort of rent; but a few of the magistrates are inflicting heavier penalties than they did with regard to a great many of them. There was one case in which the magistrates inflicted two very heavy

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fines of 20*l.* each, that is 40*l.* upon an unlicensed house the other day, and I confirmed the magistrates' decision because I thought it was fairly in their discretion, and I confirmed them; but those people went to the Lord Lieutenant. The husband was an old soldier of some 25 years' service, with medals and all that, and this 40*l.*, if inflicted, would have been positive ruin to him, and I gave my humble recommendation for remission by the prerogative of the Court.

1263. Do not you think that if such penalties as that were inflicted without any remission occasionally, it would deter others from doing so?—Yes, it would; and that is what I mean. I say that there must be resolution along the whole line. It must be by the magistrates, by the police authorities, and by the police themselves; and then, when the people find that society is in earnest about it, I think that it will change the whole system. I believe that the whole system is changing at this moment.

1264. You spoke about the connection between intoxication and the poverty, dirt, ignorance, and want of amusements of the population; I should like to ask you whether you think, with regard to intoxication first of all, that the higher you go in Dublin society, or elsewhere, the less drinking you find?—Yes.

1265. The more educated the people are, and the better the class of houses that they have, the less drinking there is?—Yes.

1266. But do you think that the intoxication is the cause or the effect of the ignorance and dirt, and want of amusement?—I think that they retro-act. I think the effect re-acts upon the cause.

1267. Do not you think that if people were better educated, and had better houses, and you insisted with stringency upon their being kept clean, the necessity for drink would be lessened?—Yes, I am certain of it; that is to say, we want them to spend their wages on their homes instead of in drink.

1268. So that if the progress which you speak of were carried on, if we educated the people a little, and insisted on the houses being properly drained and kept clean, and threw down the bad houses and built proper ones, there would not be such a necessity for this extremely repressive law?—No, there would not; but I do not think that Parliament or the Government can do that. The people must themselves be (I use the expression with reverence) the workers out of their own social salvation. The Government can do an immense deal, but it cannot do all.

1269. Supposing Parliament did insist, for instance, upon proper drainage and better houses, and more general education; and supposing Parliament did throw open places of amusement, then do not you think that the chances of extreme drinking would be lessened?—I do, but I fear that that is purely speculative. It is against the principle of English legislation. The great idea which I have always thought of in my mind, the great thing is to give every facility to develop themselves, and not to attempt to do everything for them.

1270. You spoke of a case in which before two o'clock on Sunday 168 people had been seen going into one public-house; where did that happen?—The case was heard before me at these quarter sessions on an appeal, and, therefore, it was a case that must have occurred before the

Mr. O'Shaughnessy—continued.

annual sessions of 1876, because it came up by way of appeal from the magistrates.

1271. That was during the time during which you say the police had been using increased efforts?—Certainly; I think that increased effort has been going on; I think there has been a very large stimulus given to public opinion.

1272. Do you not think it probable that if you send a great repression suddenly upon the people, notwithstanding the maintenance of the activity of the police, there would be great danger of attempts of this kind being carried out?—Certainly; I began with the concession that the difficulty of the Bill was an obvious one, that the closing on Sunday would have a very great tendency to increase illicit trade; no one can doubt that; that is one, and the only thing that is certain.

1273. In discharge of your duty I assume that you have caused some public-houses to be closed on Sunday?—Yes; I am under the law as to that, and I do so when I have the power; I may mention with regard to that, that a map has been prepared, at least I am told so in Dublin, showing the number of drinking-houses; I use the general word; it has been prepared by the police authorities, showing each public-house, and each spirit grocer, and each beer-dealer in Dublin; in some of the cases there are as many as 17 or 18 in one street; and I have heard that it is regulated by a certain section, which allows me to consider the existing number of houses in the case of a transfer; and although I would not close a house, I think where it is a mere case of Sunday sale, I have decided that I will not allow the case of a transfer, but in order to mitigate the great severity of the entire closure of the house, I have allowed the option of asking for a six-day license; they have brought it to the Court of Appeal, and I have advised them to do it lest I should be usurping an authority which I did not possess; they have taken it by prerogative right to the Queen's Bench; it has been argued, and it is to be re-argued next term.

1274. Are those houses closed pending the appeal?—I think so.

1275. Have you had any opportunity of seeing whether the attempt to carry out the rule to close them for the entire Sunday has been obeyed?—I am aware with regard to two of those cases that were under appeal, that they were the only two cases; but I have no objection to a house except on the ground of number in a neighbourhood where I should have been glad to have left them *à statu quo*. In all cases where there was another reason I acted promptly, and did not allow any appeal, but where I had an objection, except on the ground that there was already a plethora of accommodation in the neighbourhood, I said, if this section is in force I must use it, but if it is not, I have no right to use it, and I shall be discharged from a very invidious responsibility. They were all very respectable people, I believe, and I think they are people who have acted according to their plod.

1276. You are not able to form any opinion as to how total Sunday closing would work, from what has followed the closing of those houses on Sunday?—No.

Mr. Maurice Brooks.

1277. May I ask you if these words, which purport to be extracted from a report of your charge to the grand jury in January last, are accurate;

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accurate: "Thousands upon thousands of the multitudes in our great cities, and notably in this city, live and die in places whence a humane sportsman would be ashamed to whisk forth his spaniels. Surely it is vain that I, or such as I, should hid them, steeped in squalor and beset by disease, joyless, hopeless, godless, not seek the light and warmth of the gin-palace, and the oblivion, however temporary and baneful, they can purchase therein. It is preposterous to think society can be regenerated by sentences of penal servitude, and the refusal of spirit licenses, if nothing more be done."—I think I used, at any rate, words very like these. I am not sure that I did use those words. I was then urging upon the public, through the grand jury, the great necessity there was that all society should combine to elevate the people, though it is a little more rhetorical perhaps than it might be, and loses perhaps some of its force on that account; but I shd be by the spirit of it.

1278. You said that in your opinion there was apathy on the part of the working classes who would suffer inconvenience, supposing this Bill were enacted?—I thought so. I thought that was the result of all that has occurred since the vote of the House of Commons last year. You ought to know better than I do.

1279. Would you be surprised to hear that I presented a petition to the House of Commons last year signed by 12,000 of the working men of the City of Dublin against the enactment of this Bill?—I did not say that there was not a difference of opinion about it; I only said that, judging as one of the public; of course honourable Members are much better able to form an opinion than I am, but as a citizen I am of opinion that the general voice in Ireland has been in favour of this Bill. I do not except Dublin. I am aware there have been some petitions, but I do not think there has been a large expression of public opinion.

1280. Are you surprised to hear that there has been a petition from 12,000 working men of the City of Dublin?—I am not surprised to hear it.

1281. Those persons would be chiefly interested, would they not, and even more interested, in the keeping open of the public-houses on Sunday than the electors who do not use public-houses; and would not that show that those who were chiefly interested were not apathetic?—Then I should have to take the whole of the facts on both sides, and count them as I would a scrutiny at an election. I only give my opinion as a citizen of Dublin fairly acquainted with the average state of opinion there, and as such I give my evidence to this Committee, that the general impression is every class of society that I have been in, and I am taking it now generally on the whole in Ireland, including Dublin, is in favour of this Bill. If it were not, I should not have said many of the things I have said to-day.

1282. If a petition were signed by 12,000 working men of Dublin, surely the opinion of persons in other towns in Ireland ought not to influence the value that is to be attached to the petition?—No, I quite agree with you as to that; but then the opinion of 14,000 or 15,000 or 20,000 other people would have a very large effect.

1283. Supposing that they were 14,000 or 15,000 who did not use public-houses, this petition which emanated from 12,000 that do use public-

Mr. Maurice Brooks—continued.

houses, would be deserving of consideration?—I quite agree with you that if there were 12,000 of the working classes who had expressed an opinion in one way, and there was no expression of opinion in the other way, it would be improper to act upon it.

1284. Suppose that those 12,000 working men who do use public-houses petitioned, and that there had been other petitions from 12,000 men who do not use public-houses, ought not the petition from those who do use them to have greater weight than a petition emanating from persons who were not affected?—I would not grant that instantly. I would say that it was a very important fact requiring very careful consideration. But, first of all, I know very well that when people sign petitions it means very little indeed; and, furthermore, I know that a great many people would sign that petition who, if they were a little wiser perhaps, would not do so, having regard to their lives and their families.

1285. Are they not better judges?—I grant you at once if it can be proved that a real expression of opinion has been made by 12,000 artisans against this Bill, and there has been no expression of opinion by those who are the best representatives the other way, the fact would be very strong.

1286. Do you think that a petition emanating from any number of persons who would not be affected by the closing of these public-houses, ought to warrant the Legislature in passing a Bill that would affect the liberty of those people as citizens to do that which is lawful and proper?—I cannot go further than saying that I think it is a very considerable fact most deserving of weighing with you, and would weigh with me but it certainly would not be conclusive. I should have to consider a vast number of other things. I certainly would analyse it. I would see how many had put their names on petitions the other way, because that is one of the very first things that you should do if you wanted to analyse any set of names.

1287. If this petition has not been at all impeached by the promoters of this Bill, would you consider it to be a genuine petition?—I do not mean to say that it is not a genuine petition. I only say that you are pressing me upon its weight as if it was coercive. I am telling you why I do not think it is coercive upon me; it would weigh with me, certainly.

1288. I understood you to say, in reply to my question, that the petitions are signed very readily by persons who do not take an interest in the subject-matter of the petition, but I ask you if this petition has not been impeached by the promoters of this Bill, would you not take it to be a genuine expression of opinion on the part of 12,000 people who are greatly interested in the maintenance of houses of public entertainment in Dublin on Sunday?—I think you are quite right. I will take it *prima facie* as being perfectly genuine. I only said that if it was to be used as a paper on the one side which was alone to weigh with me, I would then have to analyse it if I had to give a judicial decision upon it.

1289. And you would not allow the petitions of persons who would not be directly affected by this Bill to prevail against the 12,000?—I would not, putting it as an abstract proposition either; I would consider it as a strong fact, but I would have to take up the petitions that I found the

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other way; and I grant you this, that if 12,000 people were those who would be affected, and those who were of opinion the other way were those not to be affected, I would go very nearly the whole way with you.

1290. Can you afford the Committee any information with regard to the coffee-houses in Dublin of which you spoke?—I have been in one of them; the one that is just at the Theatre Royal; it is the first one that has been successful; and the first question that I always ask with reference to those places is, whether they are commercially paying, because I do not believe in them if they are not. They may merely be a drop in the ocean of charity if they are eleemosynary; and I ascertained as to this one, that it is being extended, and that they want to have more rooms in it; and so far as I could see it was very admirable; but I would go a little further, and I would make them still more comfortable. I may say also, again expressing a respectful dissent to the details of what Captain Talbot said, I hope very much if this measure passes, to see workmen's clubs cultivated. I quite agree with him that if they are to be shams, and if they are to be public-houses in disguise, they should be suppressed at once; but I think that workmen's clubs, properly used, are one of the very mediums of improvement of the people to which I look in the coming future.

1291. Would you allow drink in those working men's clubs that you desire to see promoted in Dublin?—In *bona fide* workmen's clubs I should certainly make no difference between them and the clubs of any other gentlemen, because that would be class legislation.

1292. With regard to coffee-houses, you have mentioned one coffee-house, that is the model coffee-house at the corner of Townsend-street; are you aware that there are at the present moment advertisements in the current newspapers of the day appealing to people for contributions to get it out of debt, and an offer from Mr. Richard Allen to contribute a sum of money if 10 other persons can be found to find a similar sum?—Yes; but that is not a debt with respect to the working; those are establishment expenses; I understand that it is paying commercially now; and, to judge it fairly I should assume that it has been started with existing money. When I said that I understood it was commercially successful, I meant that it was paying, assuming that its capital had not been borrowed. The reason of this appeal is because it is succeeding so admirably; it is just the same thing which happens where a private church is built; it begins with a debt, and the congregation, if it is a working congregation, pay off the debt after a while.

1293. I have received no information myself, except what I have seen in the public newspapers within the last few days. I understood you to say that those coffee-houses were remunerative and self-maintaining?—I am informed that this is self-maintaining now; I assume that it is the establishment expenses; I do not mean that it is to pay at once; in a short time; it has to pay back the original capital; but I say, taking the revenue and the expenditure, you know what I mean, it is paying in that way; at least that is what I am told.

1294. If it be founded by public subscription, and not by the enterprise of any individual, if I understand you, it will pay, but not otherwise?

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—You could not possibly expect that any person from merely commercial reasons would start any thing so speculative; and it must be commenced in the first instance by people who have some further reason; but then no matter how it is formed, when once established it is a pilot either one way or the other, whether as a concern from year to year it is a paying one or not.

1295. Do you know if in the City of Dublin there is any coffee-house established by private enterprise that has been self-sustaining?—That is the only one that I could name.

1296. In fact you do not know?—I do not; but the reason why they are not successful is this, because between the coffee-palace and the gin-palace the coffee-palace kicks the beam; but then what I said was that I looked at these as substitutes, and when they are not allowed to go into the gin-palace then the question would be whether they would not go into the other.

1297. I ask for information; if it be proper that the working man shall have intoxicating liquor in his club on a Sunday, is it not equally proper, if he can get coffee in a temperance coffee-house, that he should have a glass of beer in a properly licensed house under the superintendence of the police?—That is opening the whole question of the policy of the licensing laws that have existed from the time of Edward the Sixth, at any rate; there is a vast difference between them; a club is the private house of the aggregate members who are the proprietors of it, whereas a licensed publican's house is a receptacle for all the community: you cannot refuse anybody to go there.

1298. The club that you propose to give to the working man would not be under the supervision of the police as a licensed public-house?—I am not sure of that; I merely said that I trusted it would develop. It should be properly guarded, because it must not be a mere bill for a public-house.

1299. There is no club at present in Dublin under the supervision of the police, I believe?—I do not think there is, but I do not say that I contemplate necessarily the formation of club-houses without any sort of legislative guards.

1300. I understood you to say that you hoped that one day there would be club-houses for working men?—I did; but inasmuch as there would be very great danger in that rank of life in their being used, merely as public-houses, I am not at all sure that the question would not require a great deal more consideration than I have given it; I mean that it would be necessary to have them properly guarded from abuse.

1301. Do you know if there is any public library of any kind open in Dublin on Sunday?—I think that the Mechanics Institute has a library, which is open on Sunday.

1302. To the members of the Mechanics Institute?—Yes, to members.

1303. Do you know whether that is a self-sustaining institution?—I do not know much about it, I am sorry to say; I think I ought to know more about it.

1304. Do you know whether the temperance coffee-house which you spoke of is open on a Sunday?—I do not know; I forget to ask the question, I think it is.

1305. You spoke of that which we all so much deplore in Dublin, the great crowds of children that we see sitting in the doorways in those fostering alms; do you know if there is any public

Mr. Maurice Brooks—continued.

public playground for them within the precincts of the city?—I am sure that there is not. May I mention that in the charge to the grand jury, which you have been good enough to refer to, I mentioned that I hoped in the artisans' dwellings programme they would always take care to put in each group a large open space where the children might play and might have sabbaths, and such things.

1306. Then there is no public room in which their mothers and their grown sisters can congregate?—No, and I hope their grown-up sisters and mothers will not congregate in a public-house under any circumstances.

1307. You also said that, supposing this Bill became law, the working man could very easily get his bottle of whiskey; do you think that on the whole any advantages are to be derived from drinking in the houses?—I do not know what you mean by "advantages." I think that it is often done innocently and harmlessly, and I think that the effect of taking it home means this; that the man divides it with his children and makes it a wholesome stimulant and makes it harmless, whereas if he goes off by himself he spends it upon himself and his friends until his money and his head are both gone.

1308. With regard to those petitions in favour of closing public-houses, they come in a great degree, as I understand, from members of temperance societies and so-called teetotal societies; from your own knowledge, do you know whether that is or is not the case?—There are very active temperance organisations I know, but I understand it is the fact that the great mass of the Roman Catholic clergy who represent, we all know, the large majority of the working and the poor population, have all gone in for this, and that there are many of their people who have gone with them. I am speaking now merely as a citizen, and that is my impression. When one talks of public opinion, one is speaking of a very impalpable thing. I am only speaking now, as well as I can speak, as a citizen; and it is my impression that that has been so, and it has largely been my reason for giving most of the evidence that I have.

1309. Can you inform the Committee of any fact that would bear out that belief?—I can inform you of one which I consider a tremendous fact in support of it, and that is the almost unanimous vote of the Irish Members last year. What I mean by that is this: is not that infinitely better than any vague opinion that one could have on such an impalpable thing as public opinion; but the official representatives of that opinion, the people who are bound according to their duty and their oaths to represent their constituents, have all come to that conclusion. I see one of those who act, to a large extent, upon high authority upon a matter that I cannot investigate myself. I think that the vote of the House is what has given me the large lever which I have.

1310. Can you point out to the Committee any single fact that would warrant you in believing that any considerable proportion of the Roman Catholic clergy of the City of Dublin are in favour of this Bill?—I cannot go further than I have gone.

1311. The only evidence that you have offered to the Committee upon that is, as you have mentioned, the vote of the House. How do you con-

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nect the vote of the House with the opinion of the Roman Catholic clergy?—What was in my mind was this: is it not notorious that Archbishop Leahy, by his own influence, passed an unwritten law upon this subject, which was acquiesced in by his entire archdiocese.

1312. It might be sufficient then to do it without a law?—Yes, it was sufficient in that case.

1313. How do you connect Archbishop Leahy with the population of Dublin?—I do not think that the population of Ireland are so extraordinarily different as that; I think that weighed enormously with me. Then I think I am right in saying that Cardinal Cullen gave his adhesion to this. I am now speaking merely as a citizen, but I believe Cardinal Cullen did; and if he did, we know quite enough about the whole system over which he presides to know that it is not likely that anything which he has given his adhesion to is not one which would obtain the assent of his clergy.

1314. With regard to the inferior clergy, what is your opinion?—If you ask me, there are one or two of them that I have spoken to myself, who regard drunkenness as the curse of the streets, and they have offered, in the strongest manner, their support to the general efforts that we are making towards temperance in Dublin. One of those gentlemen, whom I had been counsel for at the bar in a very important case in the Probate Court, some years ago (I did not remember him when he came to me), told me his name, and he gave me his blessing.

1315. Do you remember any single instance of a Roman Catholic clergyman in Dublin having spoken in favour of this Bill?—I cannot give you any more direct answer. I do not know. It may be an entire hallucination on my part about it, but my impression was that they are in favour of it. Of course, if you tell me that they are not, that would qualify a great deal of what I have said. If I thought that this Act of Parliament was passed against the will of people who have such an enormous moral influence over their flocks, I would be very hopeless of many things in which I am hopeful.

1316. Your position in Dublin gives you access to information almost greater than that possessed by any other individual, but that is a matter which you do not know?—I do not.

1317. There are great complaints in Dublin of the overcrowding of the dwellings of our artisans, are there not?—Yes, and of the great inefficiency of their houses in every way, and still more of the poorer classes, because Mr. Cross's Act has both names in its title; it is "For the Improvement of the Dwellings of Artisans and of the Homes of the Labouring Poor."

1318. Do you think that overcrowding prevails to a greater extent in Dublin than in many of the smaller towns in the provinces?—I think so, very much more. I should qualify that in this way: Dublin is a very large area. Dublin is not a town where the areas are closely packed as in London, but it is a place where in individual cases the poor are closely packed.

1319. Would you not rather say that there are a large number of persons in certain houses, as many as 40 or 50?—Yes. The crowding in individual cases is worse than it is here, but the packed population in the areas do not exist there.

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1320. Are many of those houses totally unprovided with front or rear gardens or yards?—Yes, or with anything. I say it most emphatically; with any appliance for decency or comfort.

1321. Would not that rather point to the greater necessity in the City of Dublin for places of public entertainment than for a town like Wexford or New Ross, where the system of voluntarily closing on Sunday has prevailed?—The country places indubitably have advantages that a close population have not; they have country walks and they have hurling matches, and things of that kind; there is a great deal more oxygen around them.

1322. Whilst in small towns, in a few minutes the denizens of the towns can reach the fields and open spaces, in Dublin they must go a long way?—Yes; but I forgot to say that my view of this case, such as I have, has been largely influenced by the circumstance that this measure has been operative in Glasgow, which bears every fair analogy to Dublin.

1323. We are talking now of the difference between small towns in Ireland and Dublin; I say that what may be applicable to Wexford or to New Ross, that the denizens can within a few minutes reach the open fields, would not be applicable to Dublin?—There would be a decided difference; but I should add this, that I consider that Dublin has very many favourable points for the application of the measure that Glasgow has not. Glasgow is more analogous to Dublin than you might think, for there is a very large working population of Irish in it, and they have not all the same means of amusement which, if the Scotch system allowed the same means of amusement on Sunday, would not only be permitted, but advocated in Dublin.

Mr. Jos. Hamilton.

1324. I believe that your licensing power is only limited to the municipal boundary?—Yes.

1325. But you are probably acquainted with the circumstances of the townships within the metropolitan police district?—Yes, I explained that my original licensing authority is only over the municipal district, but the appellate authority is over the metropolitan district.

1326. Are you aware that lately several townships, Kingstown, Rathinacra, Rathgar, and some others, have protested strongly against being exempted from the operations of this Act?—So I have seen.

1327. But as to the city proper, you use the expression that you did not see why the place that wasted it most is to have it least; would you not apply that expression to the whole of the area within the metropolitan police district?—To a certain extent I would; but in the districts mentioned in your question, which are not within the municipal boundary; in those townships, the people are of the better-off middle classes, generally speaking.

1328. But are you also aware that there are a few villages near Dublin where there are a very poor class of people, and in some cases not very respectable?—Yes.

1329. Would you not feel that in the case of Dublin City proper being exempt, there might be a great influx of the least reputable classes from these small villages?—I said that I thought so. I mentioned that I decidedly think they

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would be coming in, and the Sunday tramps that ought to be taking the city people out into the country, would be taking the country people into the city.

1330. Then would it be your opinion that Dublin should not be exempt from the operation of the Act?—Certainly in the interests of the suburban districts.

Mr. Murphy.

1331. I think that you said, in the commencement of your evidence, that you saw no reason for deferential legislation?—I said not sufficient reason for deferential legislation.

1332. I think you based that opinion in consequence of what you believed to be the expenditure of public opinion, or what you understood to be public opinion, and the decision of the Legislature?—Yes, that I had courage to form an opinion of the beneficial effects of the measure, which arose not upon speculation to a very large extent in consequence of that affirmation.

1333. Then it is merely in consequence of what you believe to be the expression of public opinion, and the decision of the Legislature not founded upon any opinion of your own, that you have come to the conclusion that you see no reason for deferential legislation?—I did not at all mean to say that. What I said was, that my own views, which I hold with hesitation, I would not express with any strength, if it was not for the confirmation that I have in that expression of opinion. I have been endeavouring to give my reasons for once, and I have got that confirmation for believing what I do.

1334. I think you further added that that opinion of itself was speculative or conjectural as to the future?—To a large extent I said it was.

1335. You mention that there was an enormous disproportion of crime in Dublin as regards the rest of Ireland, arising from drink?—Yes, I said it is very nearly exactly 12 to 1. I do not know what it is exactly, but what I said was that there was a very large disproportion of crime in Dublin, and that the crime in Dublin was a vast proportion of it owing to drink.

1336. You have seen the returns which have been got by the authorities as to the number of persons arrested in Dublin for Sunday drinking, and you have seen that those are less than on any other day to which the returns relate?—I did not know that they were less than on any other day.

1337. They are less than on any other day to which the returns relate, taking Thursday and Saturday; there were 34 on the Thursday, and 70 on Saturday, as against 24 on Sunday?—That quite justifies your question.

1338. Having regard to this Bill which treats altogether with Sunday closing, which has no reference to any other days in the week, would you conceive that there is a reason for passing this measure as regards Sunday, because there is less drunkenness on Sunday than on any other day of the week?—Not at all; I said that all through that I was aware that a great deal less crime was brought before the magistrates on Monday morning, and that there was a good deal more from Saturday than there was from Sunday; and as I said that I would not have anything to do with the passing of this measure, if it were not for social reasons, and I therefore said that I thought Sunday being the pleasant

day,



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day, the holiday, and the wage-earning day to a large extent, I thought there was much to be hoped for in the way of moral improvement. And I began by conceding that this drunkenness of which I speak is not confined to Sunday at all.

1339. Would you conceive, having regard to the object of this Bill, which is confined to Sunday closing, and to nothing else, that there being less drunkenness on Sunday than on any other day in the week, therefore that the Bill should be passed?—No, not at all; that is not the reason at all; it would be arithmetically absurd; but I laboured very hard indeed to show that that was not my opinion; I must say that in consequence of that proceeding which I never for one moment suggested any such arithmetical consideration; I stated that all through that my reason for approving of Sunday closing, and for hoping for good from it, was the moral and social grounds arising from a variety of considerations; and I attempted to explain that this for Sunday which is not applicable to Saturday.

1340. You conceive, that Sunday being a day of rest, Sunday being a day upon which the class of persons who go to the public-house are not at work, Sunday being a day upon which they have leisure, Sunday being a day upon which they naturally are called upon to recreate themselves, to amuse themselves, and to meet together, when they have no other opportunity upon any other day in the week, therefore the places where they are accustomed to meet and drink in moderation (I am not talking of drunkards or of hard drinkers), and the only day in the week which they have to recreate themselves, and to meet where they are accustomed to meet, they should be deprived of?—That is the way you put it; I do not.

1341. Is not that the natural conclusion?—No; I said that, having regard to all these things which you have described, being accidents and applicable to Sunday, I therefore saw that the best mode of winning the people to habits of culture and morality and temperance, was by giving them other pleasures than the only one of taking intoxicating liquor.

1342. Allow me again to come back to the question, do you see a greater reason or as great a reason for closing public-houses on Sunday, when there is less drunkenness on that day than on any other day in the week?—If you put me that question arithmetically only, and apart from the other, I assent to you.

1343. You stated, and I think gave very important evidence, coming from you, that, amongst the spirit grocers and beer-license holders, persons who were licensed to sell for consumption not on the premises in those houses, a very great amount of infraction of the law took place?—Yes, certainly.

1344. I think that you further stated, that as contrasted with the regular licensed publican or licensed victualler, which I believe is the proper phrase to use, the latter were a highly respectable class generally speaking, and that comparatively few infractions of the law took place in licensed victuallers' establishments as contrasted with spirit grocers and beer retailers?—I think that is fairly so.

1345. Have you ever considered that if this great amount of illicit trading and illicit drinking, which no doubt leads to drunkenness, could be

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put a stop to by any means on a Sunday, a still greater cessation of drunkenness would take place on that day than at present prevails?—Yes; and I think that, apart from any contemplated legislation, there is a very large improvement going on from the stricter application of the licensing laws, consequent upon the arduous public meetings upon the subject.

1346. Would you conceive it to be an inequitable measure if the power was taken away from the spirit grocer or beer dealer, who are licensed to sell for consumption not on the premises, if that license were taken away altogether?—I do not think that it should be taken away until every endeavour had been made to make them adhere to the law, and then it would become a question, if that was insufficient, whether they were not so far abusing their license that they ought not to have one.

1347. Then you come to this conclusion, that in a regular licensed victualler's establishment and the licensed public-houses that we speak of, there is much less infraction of the law and, comparatively speaking, very little compared with other establishments?—There are a very large number of very well-conducted houses in Dublin, which I think may very fairly be said to give the character to the licensed trade, and the universal expression of opinion of the police is, that they have comparatively little trouble with them. There are exceptions, of course.

1348. It has been given in evidence here that there is a very large amount of drinking on Sundays before the hour for opening; do you think that that is so?—That is so in the lower class of licensed houses and in the unlicensed houses.

1349. Is it not the case that whenever there are both licensed and unlicensed houses a large amount of drinking does take place during the very hours on which all the houses are closed?—Yes.

1350. Do you think it possible by any legislation that that can be materially reduced?—Yes, I do think that without any legislation, and using the power that we have, a real earnest application of the existing law will largely diminish it; I have no doubt of that, and I have no doubt that the improvement is in process at this moment.

1351. Is it therefore your opinion or belief that it is in that direction that efforts should be made to prevent drunkenness on a Sunday rather than the absolute closing of every public-house in every case?—As I said before, it is a very serious question; I think that is very good in its way, and I think it will go on quite irrespective of the fate of this measure, and I believe it will do a great deal of good; but the question is whether more good is not to be done in the same direction.

1352. I ask you is it not your opinion that it would be a proper course to be taken where confessedly the greatest amount of drunkenness does occur, or would it not be the best course to adopt to restrict that drunkenness by having regard to the suppression of those illicit houses?—I think that it is essential to do so whether this Bill passes or not.

1353. You based your opinion as to the total closing of public-houses on Sundays not by reason of the interference that takes place, for the returns show that in a large city like Dublin comparatively it is very small, but you base your opinion

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opinion upon the closing of public-houses not by reason of intemperance on Sunday, but by reason of what you conceive to be the foundation of the improved social element which it would introduce; is that your opinion?—It is.

1354. And it has nothing whatever to do with regard to temperance or intemperance?—It has everything to do with it.

1355. But with regard to the returns, it may appear an arithmetical question?—Exactly; it is simply that.

1356. You said that you thought that the police at present existing have ample powers to put into operation the repressing of this illicit trade?—I think that they have.

1357. Were you here during a portion of the evidence of Inspector Carr and Captain Talbot, when they stated what the duties of the police were?—Yes; but I heard Captain Talbot stating that he would disapprove of their going as detectives.

1358. May I ask what the duties of the police are?—That is the whole thing. I said all along that if the police do not resort to the ordinary means of detection I do not think they can do their duty; but I think that they have the means of doing it; and I think that if they are entrusted with the repression at all they ought to use those means.

1359. I do not think you quite apprehend the force of my question; what I want to know is this, did you hear Captain Talbot and Inspector Carr state that the ordinary duties which the police have to perform in Dublin now are sufficient to absorb their whole ordinary time?—I did not hear them say so.

1360. Supposing it be the fact that the ordinary duties of the police in Dublin (their number being about 800, or whatever number they may be) absorb the entire time of the police, do you think under those circumstances that an additional number of men, whom you call detective police, should be created in order to bring about what you desire?—Speaking for myself I do not think it is so. I do not think that their duties are absorbed in this way, because I think of late there has been very much stricter exercise of their powers.

1361. That is a mere matter of opinion, is it not?—No, it is a matter of proof before me in my court; it is not a matter of opinion at all. I have shown it you already.

1362. Supposing those who are in authority over the police state that the number of police in Dublin at the present moment are absorbed by their ordinary duties, going on their beat, and all that kind of thing; is it your opinion that by employing detectives, that is, by training them into detectives, in which I agree with you, greater good would be done in detecting illicit trading, do you or do you not think that if the duties absorb all the police now, an additional force should be got for the purpose?—From what I see actually proved before me, I see that the police are more earnest about it within the last couple of years, and the consequence is that the convictions are generally increasing; but the watching system, which as long as that continues and the police do not resort to the ordinary means of detection, means that there is to be impunity for breaking the law; being once put down, my belief is that the existing force of police should have some fair addition to it; but, substantially, I think that they are

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sufficient to do the work of the city at present, and if there was a large outburst of illicit trading consequent upon this Bill, it might be necessary to increase the force.

1363. Do you mean of detectives?—Of men employed to put it down.

1364. Which must be detectives?—They must use detective means; that is a matter in which the proof of experience will resolve.

1365. The police authorities would probably be the best judges of that?—I confess, having regard to what I have seen, I do not admit that; I think that I, who have seen the actual proof in the hundreds of cases that have come before me, am able to form as good an opinion as the police authorities as to what they are able to do, because I have seen that by a strong and firm application of the law, without any increase in their number, they have been doing double the amount of good that they had previously been doing; but I always qualify that by this, that, as long it is promulgated amongst the force, they are to be treated as informers because they resort to detection. I quite admit that they cannot grapple with the evil at all.

1366. You have given us an answer, that you have taken into consideration the effect, as to the convenience of the public, and that the habits of those who now frequent public-houses for recreation and not for drunkenness, and you have already stated that the total closing of public-houses would affect them in a small degree?—Yes; but there are a vast number of people who are half-drunk, but who are not arrested.

1367. That is a matter of opinion too, is it not?—No, I do not think it is; I think it is a matter of certainty.

1368. Are you or are you not of opinion that it would interfere with the convenience and settled habits of the people?—I am quite sure it would with their present habits; that is the real difficulty.

1369. Are you of opinion that this measure is called for by the vast majority of those who use public-houses?—That is what Mr. Brooks pressed me upon so much; I do not know.

1370. There can be no difference of opinion, whatever, from what you stated, as to the necessity of providing social pleasures for the people. I believe everybody would be disposed to agree with you that if these social pleasures and opportunities of recreation were provided it would be the very best antidote to the abuses which take place at the present moment; but allow me to ask you again a question which has been asked already, do you believe that in the absence of these social pleasures, or in prospect of them, even, the total closing at once of public-houses, and the breaking-up of the habits of those who use them in moderation would or would not create a feeling of dissatisfaction, and be as likely, as not to drive them to illicit pleasures, if I may use the word?—That is a very grave, and a very natural question, and the way that I answer it is, that it has occurred to myself, and I have admitted largely already, but what I fear is that as long as they have the existing pleasure of the public-house, which they know, and which they make use of, they will not take those other attempts at improvement, and that it will be impossible to alter it; whereas, I think that if perfunctorily they are prevented from having it, of course they will then be then driven by a law of

nature

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nature into looking for some other pleasure. I am glad that you have asked me the question, because it is bringing the whole matter to the shortest point.

1371. I take it for granted that in the observation which you have made you refer to the abuse rather than the use of illicit refreshments?—Clearly I do.

1372. Then you do not at all mean to confine it to those who merely use those places in moderation, and who are in the habit of going in moderation?—No, certainly not; the question could never have arisen if we were dealing only with people who use and do not abuse.

1373. That brings us back again to this test, what is the test of abuse as contra-distinguished from use?—I can only answer that my experience leads me to the belief that intoxication is an existing national vice in Ireland. I say that with regret, and I shall not be misunderstood, I hope, in saying it, and until that national vice is, I shall not say eradicated, but until there is a large improvement in it, I have not any great hope for the amelioration and the welfare of my poorer countrymen.

1374. You simply mean to say that there is no use in closing public-houses at all?—I do not say that.

1375. Is not that the inference to be drawn from your answer?—On the contrary, the logical inference is directly the opposite, namely, that inasmuch as I am right in my first premise that intoxication is a national vice which ought to be eradicated, then it is essential to do something strong to carry it out.

1376. But if the statistics prove that so far as Sunday is concerned, that it is not so, what do you say?—That drinking on Sunday is only a part of it.

1377. You stated, I think, that one of your grounds for coming to the conclusion that you have done, and which you said was in your mind a matter more of speculation and conjecture as to the future than anything else, was the expression of public opinion in favour of Sunday closing; and you insinuated as one item in that public opinion the preponderating opinion of the Roman Catholic clergy in its favour?—Yes.

1378. You believe that to be the case?—I should say that that was my impression.

1379. Are you aware what the numbers of the Roman Catholic clergy are in Ireland?—No, I cannot give you any information about figures at all.

1380. Are you aware that it is nearer 3,000 than 2,600?—I should say it was.

1381. You have heard, of course, of the United Kingdom Alliance or the Irish Sunday Closing Society, or whatever its name is, which has been established in Dublin for some years past?—I wish to explain that I do not know it specially; I have the popular knowledge that there are organisations of that kind.

1382. Are you aware that there is a central organisation in Dublin for Sunday closing?—Yes; I have seen it in the papers, but I know nothing whatever about its formation. What I mean is that I know a great deal less of these things than you think; I assure you I know hardly anything about these organisations.

1383. Are you aware that there is a central association in Dublin for promoting this measure, and measures of teetotalism and temperance?—

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If you ask me, I really did not know that there was one separate from the general one.

1384. What do you call the general one?—I have seen very often in the papers the Sunday Closing Association, but I did not know that it was specially a Dublin affair.

1385. It is the Irish Sunday Closing Association; have you ever heard of a gentleman of the name of Mr. Wigham?—No.

1386. Have you ever heard of a gentleman of the name of Nicol?—Yes; he is the secretary of some society, but whether it is for Sunday closing or whether it is for general abstinence, I do not know.

1387. Does the organisation exist for the purpose of promoting Sunday closing and general temperance?—Yes.

1388. Have you heard of a gentleman of the name of Russell?—Yes. Mr. Russell has very frequently given evidence in my Court.

1389. You have heard, of course, as we all have heard, that they have a very large organisation, and have been very active for some years past in procuring petitions, and procuring evidences of so-called public opinion upon this subject?—I have heard that there was a house-to-house leaving of cards, but I did not know what the organisation was, except that I knew that it was some temperance organisation.

1390. As a matter of course I ask you, as I would ask anybody else; you assume that it is an organisation which is supplied with funds, and which publishes the subscriptions in the newspapers, and has been very active in promoting this measure?—I presume that they have.

1391. You also know that it is their object to get as many so-called expressions of public opinion in the shape of petitions, and in the shape of remonstrances to Members, and all that kind of thing, as they can do; naturally that is their object?—I presume so.

1392. And that that association has been in existence for some years?—Yes.

1393. I am merely asking you these questions with the view of testing and putting before you simply the expressions of public opinion, for instance, amongst the Roman Catholic clergy, whom you assume to be so decidedly in favour of this measure?—Which I have assumed, because if you, or any other honourable gentleman tells me that I am wrong, I am so ignorant of the subject that I at once acquiesce.

1394. You assume that in common with the vast majority of the House of Commons?—My only reasons for assuming it were these: I believe I mentioned them; I was under the impression that Cardinal Cullen had declared for it, and I was under the impression that Cardinal Manning had declared for it; that I heard; and I am of course far more than anything else influenced by the tremendous imperial fact of the vote of the House of Commons last year.

1395. Would you be surprised to hear, with these impressions upon your mind, that out of 3,000 Catholic clergymen in Ireland, after all the solicitation for years in getting signatures, only 864 Catholic clergymen have signed in favour?—You cannot ask me to be surprised to hear of the signatures to a document of which I did not know the existence, and which I wish to say it with no disrespect is not of any value at all; but the reason that I do not wish to make admissions of knowledge of these things is this:

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first of all, I have no knowledge, and secondly, I think that it would be most unbecoming, in the position that I am, that I should in any way take my views from organisations of a one-sided character; I have purposely kept from inquiries as to what they are doing.

1396. You merely speak of the general opinion of Ireland in favour of this Bill, and as an instance of that you said you understood that the vast majority of the Roman Catholic clergymen were in favour of it?—I confess that it is hardly a point to cross-examine me upon, because I cannot give you information upon it; but if I am wrong there is nobody in the whole world that is more ready to concede it than I am; but as a matter of fact I cannot give you any further information.

1397. I was not cross-examining you as to matters of fact, but you merely expressed an opinion, which you hold in common with a vast number of persons, and I merely wanted to give you information as to the groundwork of that opinion, which you took for granted existed, and to state to you as a matter of fact, and as a matter of information, that out of 3,000 Catholic clergymen in Ireland but 864 have signed in favour of this measure?—What the other 2,136 have done I do not know. It shows how useless a mere application to figures is unless you analyse them.

Mr. Melden.

1398. Applying my questions to Dublin, I will assume the principle of the Bill for Sunday closing as being already accepted for all Ireland except the five principal towns. Do I understand you to say that in your experience, which is necessarily large, a great part of the crime of the country is caused by intemperance?—The crime of the city, no doubt.

1399. I find that in the year 1875 the number of crimes committed in Ireland (excluding eight principal towns), with a population of 4,718,000, amounted to 2,547, which was, in fact, four in every 10,000 of the population; in the seven principal towns, excluding Dublin, in a population of 357,000, there were only 328 crimes, which was, in point of fact, nine in 10,000, whereas in Dublin, with a population of 337,000, there were 3,733 crimes, which was in point of fact 110 crimes to every 10,000 persons; do you see any reason why the principle of Sunday closing should be excluded from Dublin when it will be extended to the rest of Ireland?—I mentioned, I think, very early in my evidence that that is one of the difficulties, that if people give those figures in the same arithmetical form as you have done. What I stated in substance was that they had very large weight with me in coming to the conclusion that there was not sufficient reason for differential legislation.

1400. Do you see any reason for differential legislation with regard to Dublin?—On the contrary; I have come to the conclusion, considering what the difficulties are, that the reasons against differential legislation are stronger than those in favour of it.

1401. There are several places in the neighbourhood of Dublin, like Clontarf, Drumcondra, the Strawberry Beds, and places of that kind, which it is not proposed to exclude from the operation of this Bill, will not the shutting of the public-houses in those districts, and leaving

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them open in Dublin produce a very bad effect upon Dublin, in so far as the crime of drunkenness is concerned?—I think it would be a great injustice to the interests of the people who are in the suburban districts, just as I feel that the *bad side traveller* clause, if left in without any guard, would be very unjust to the licensed trade in the cities.

1402. Will the evil effects on the citizens of Dublin of having houses open in Dublin be very prejudicial in bringing a large influx of drinkers into the City of Dublin?—I say so. I think that it would bring in the rural and suburban populations into the city to drink instead of taking the city people out to enjoy themselves.

1403. Of late years there has been set on foot, and there are now in operation, several measures for improving the condition of the people of Dublin; there has been a people's park created at the Phoenix Park, the Botanic Gardens have been opened; there are tramways running to the Park and also to the Botanic Gardens, and there is a Picture Gallery open, and there are steps being taken to open Stephen's Green; looking at all those efforts to improve the condition of the people of Dublin, in your opinion is it advisable to introduce the principle of Sunday closing, so that the two sets of measures might be working side by side?—That is what I have said is the great difficulty here; it has been put to me by the Right honourable Chief Secretary in one form, and afterwards by Mr. Murphy and Mr. O'Shaughnessy in the other. The question is whether it might not be wiser to allow public-houses to be open Sunday, until these measures have had free scope. There is an immensity of force in that suggestion, but what I fear is, that so long as they have the present grosser pleasure of the public-house they will not take these things; that they will turn up their noses at them; whereas if this grosser pleasure is taken from them on the Sunday, and when they have all through the week the large remains of their wages, they will be drawn into adopting these things, and it is rather there that I see a chance of their moral improvement.

1404. Have not some of those measures had already a fair trial; the Botanic Gardens, the People's Park, and the Picture Gallery, have been open for some years, the tramways are running, but still we do not find that drinking or crime has materially diminished?—Just so.

1405. Do these facts tend to fortify your opinion that it will be better to try the two remedies side by side?—Yes, certainly.

1406. You were asked as to the inconvenience that would be caused to a number of people who are not drunkards, but who are merely drinkers, from not being able to obtain drink on Sunday; with regard to a number of these persons, is it your opinion that a large number of them, if they knew that they could not get drink on Sunday, would provide themselves with what they might reasonably require on Saturday?—Yes, of course a vast number of them might.

1407. You were asked as to Sunday closing being a system of repression; does not the use of intoxicating liquor lead in a great number of instances to abuse; for instance, many persons not in the habit of drinking being called, whether for refreshment, companionship, or otherwise, into a public-house, are frequently led into the practice of intemperance?—Yes; that is why I

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lay so much stress upon the criminal statistics; it is not merely magisterially that I do so; if it stopped with me, the question would be comparatively a small one; but that is only one of the evidences of the evil that is existing in the whole of the body politic. As I said before, it is only a percentage of those who drink too much upon the Sunday who are arrested.

1408. Will not one of the most beneficial results of the Bill be the taking away of the temptation and opportunities of drinking from those who have not got into bad habits?—Of course it would. It is just like an orchard; children could go in and eat fruit in moderation, and it is all very well; but it turns out that a whole family are poisoned and get cholera, then it is necessary to lock the garden gate and not let any of them in.

1409. You have already referred in your evidence to the statement of Captain Talbot as to the judges disapproving of the police acting in plain clothes in the suppression of offences against the licensing laws, are you not the sole appellate authority, or the sole judge, before whom these cases within the metropolitan district come?—Yes, as appellate judge I am. The fact is that I have no common appellate jurisdiction, but the magistrates under me, if I may say so, are so efficient that I get very little of the exercise of that common jurisdiction; there is not a single decision I believe, that is made by the four divisional justices, but is capable of being appealed to me. I had a very large list of appeals lately, because so much attention had been drawn to the temperance question, but I have only modified their decisions in about four or five cases.

1410. I wish to draw a distinction between the magistrates and the judges; is it a fact that some of the judges except yourself have had opportunities of expressing judicially any opinion upon those cases?—I know this very well, that the judges will not act at the plea of a policeman, who acts as a detective, being treated as an informer. I know that they have done that with respect to political crimes even; but as to its being supposed that a detective in a case like this is to be treated as an informer, it is really a confusion of ideas. Informers became infamous in Ireland in consequence of their being supposed to be traitors in the camp, and giving evidence against their tribe, and all the rest of it, whereas a nominal crime against the licensing laws is rather like a fight for the people against private interest, or against the Government who enforced them.

1411. Have you not known several instances of the employment of persons in plain clothes for the detection of offences of this class with a successful result?—I say that one case showed me that there was a wholesale breaking of the law in Dublin by the spirit bottlers; 17 out of 19 of them, without a single question asked, merely because they thought that they were quite safe, and without peril they broke the law.

1412. When you first came to exercise the duties of Recorder, did you find that the police were energetic in seeing that licenses were not granted to improper persons?—I think that they always have been particular about that; that is the part of their duty where I think that the great improvement has been; I attribute that to a change in public opinion. I believe, with regard to detecting and prosecuting in cases where there was no breach of the peace, where there was no

offence that the policeman would regard as an offence, but where it was only against the law, *sedes prohibita*.

1413. I think I understood you to say that the police are already furnished with quite sufficient power to repress illicit trade?—They are; but I wish to correct a part of my evidence which I have given. I stated that I thought it would be valuable to know how many warrants were obtained by the police under the 43rd section of the Act of 1872. I find that that was the wrong clause for it. I believe you will find substantively it is as I have said before, that by the Act of 1874 there are other sections of a similar character giving power of entry by warrant, and I have been informed that it was largely used by the police.

1414. The powers certainly appear to me very large; in your opinion are they not quite sufficient, inasmuch as they are enabled to get a warrant in the name of any constable in the force to run for a month?—Yes, if the watching system was put down; but so long as the watching system is permitted, of course the police is a mere appearance; but if that is put down (the magistrate and I are trying to put it down) I think there will be a very great change wrought indeed.

Mr. Bruce.

1415. You have given us some evidence of what you have seen of the great evils which have been produced by intemperance in Dublin, and you draw from that an opinion against this differential legislation which you say is proposed, that is to say, exempting Dublin from the total closing of public-houses on Sunday; those evils of intemperance you have already said do not arise more from drinking on Sunday than they do from drinking on other days, and I think you have now admitted, that the drinking on Saturdays produces worse effects in that direction; looking at all this evidence, am I not right in assuming that all the reasons you have given would tend, if carried to their legitimate consequences, not only to close public-houses on Sunday by law, but also on every other day in the week?—Carried to their very most logical consequences, they would tend in that direction certainly, but every legislative change must be a compromise.

1416. In fact this legislation which is proposed is essentially differential, because you make a difference between Sundays and the other days in the week; I do not mean to say that it is not right that it should be so, but it is a fact?—I meant differential as regards the application of the measure to the population.

1417. Still looking at it in the point of view which I have placed before you, which is essentially differential?—I do not think, speaking merely speculatively, that it can be differential legislation in its object or principle at all, but what I meant was that the application of the law in a different way to different portions of the same population, was usually anomalous, and created difficulties in the uniform carrying out of the law, and created invidiousness and partiality as regards the people.

1418. But assuming now that the closing of public-houses on Sundays would produce a very great ameliorating effect in the way which we have just pointed out, and which you hope it

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will produce, would you shrink from carrying the measure and closing public-houses, not only on Sundays, but also on other days of the week?—No, I would not. I am not prepared to do anything so strong. As I said before, I cannot so often repeat it, I am grounding what I have done upon the confirmation of this House, that is to say, upon the vote of this House; it would be the merest speculation if I had not that to go on. I am not at all prepared to admit anything so strong, even on speculative grounds, as compulsory total abstinence.

1419. The closing of public-houses on Sundays, I think you have admitted, would have a very strong effect upon the habits of those who use the public-houses extensively now. We know that there are in Dublin unfortunately a very large number of persons who are habitual drinkers, and whose habits are so strong that you cannot break them off at once; would not the effect of totally closing public-houses on Sundays have a tendency to promote an increase of drinking on Saturdays?—I say yes, and no. I think that it would have a tendency in that direction, but I think that a total change in the habit of the people from a sober Sunday would re-act so that the Saturday drinking would also decrease. For instance, what I mean is this, that a large amount of the wages which are taken are spent on Saturday, so much that they become reckless, and could go off and spend the rest of it on Sunday. But they will begin to see the advantage of the compensation on Monday morning as a balance between his pleasures and inconveniences, a man says that he has been inconvenienced because he cannot get a glass of whisky or a bottle of porter on Sunday, but he gains an enormous compensation in saved wages on Monday morning, and does he not feel himself a happier man, and if that goes on and he finds himself the subject of the happy experience, I think that it will act upon every day in the week, and if it would not do that, I would, as I said before, never close at all on Sunday, or one day in seven alone.

1420. Another effect of the total closing upon this part of the population who have formed drinking habits, would be at first, at all events, to cause them to go to those parts where they could obtain refreshments as *land side* travellers, and that would have the effect, I imagine, of producing an increase of drinking in the suburbs of Dublin, would it not?—Yes, I quite concur with you in that; so much so that, although I do not think it would be fair to the licensed houses in the city to grant an absolute *land side* traveller exception; I would rather have it as in Scotland, where it is limited to hotels only.

1421. Have you considered any further restrictions upon the proposals in the Bill which is before the House, as regards the *land side* traveller, beyond those which are in the Bill?—I believe it will do exactly what I thought was the best, having regard to what I think ought to be the fair protection, so far as may be, of the legitimate interests of the licensed houses; it would be an inconvenience to adopt the *land side* travellers' clause at all. What does it come to after all. People coming across the boundary of the city come and say, "I have come three miles." How is the publican to know whether they have come three miles or not; and when you talk of exceptions, the people that go out to

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Bray, and the people that go out to Howth, which are the two favourite places for excursions, of course, if the Act were to pass, would be obliged to carry out their provisions with them to picnic, as we call it in Ireland, and as they do at present. I am not at all sure that this *land side* traveller has not assumed an importance that he does not deserve; there would be such an abuse of it.

1422. There is some travelling on Sundays; would you prevent persons coming up from a distance in the country, from obtaining refreshments?—There is very little travelling of that kind, I mean of people who do not go to the hotels.

1423. You are still willing to make exceptions in favour of hotels, something in the same way as exists in Scotch law?—Yes; I would rather use the word *land side* visit to an hotel than *land side* traveller, because I believe the word visit expresses the statutory privilege that has been given to that name, and which has been grossly abused.

1424. You say, with regard to the clubs, that it is evident that a danger exists of evasion of the Act by the formation of clubs for drinking purposes, and that a proprietor of a drinking house might enrol a certain number of persons at a nominal subscription, say a penny per month, a penny a week, and they would become by the force of election, members of that club; how could you except that club, or bring that club under the operation of the liquor laws, when you do not apply those laws to the clubs, such as the Sackville-street Club, or the Kildare-street Club, to which the higher classes resort?—The law is always strong enough to be able, when it can get the facts, to overthrow mere evasion; I may mention with respect to what you have said, I saw since I came to London, a report in one of the London papers, of a conviction in Birmingham of 20 l., where the magistrates convicted, and where there was a colourable club, although I know that workmen's clubs had been formed with very great advantage to the people in Birmingham, where they are *land side*, and that was a case very like what you said; it was a case in which everybody on paying a penny was granted admission to a public-house as if he were a member of a club, but the magistrates saw through the thing at once, and acted accordingly.

1425. Supposing there was a *land side* annual subscription, what difference would there be between a club of that sort and an ordinary proprietary club, such as exists in this city?—If they were ordinary proprietary clubs and *land side* proprietary clubs, I do not think that there can be any difference because of the class; but then if it was a nominal amount, it would be evidence to a sensible magistrate that the thing was all a sham, and they would hold accordingly. The word *land side* club was excepted for instance, and the magistrates have been called upon with a great deal of difficulty to arrive at the meaning of what a *land side* traveller is; that meaning has been because Parliament has been obliged to use some large language which gives a large discretion; it need the words good faith. I would say in the same way, if a club in good faith was to be legitimate, it would then be the duty of the magistrates to arrive at the best conclusion as to whether it was a club in good faith, and if it was a club in good faith, I would be very sorry indeed,

on

Mr. Brien—continued

on every ground, not to give them the full advantage as such.

1426. Still a *land job* traveller is defended by statute, and there is a distinct definition of a *land job* traveller?—Indeed there is not.

1427. Do you think it would be wise to pass any Act with regard to Sunday closing without having some definition of a club, or some means whereby the magistrate could be guided in his decisions upon cases of this sort?—I am not quite sure that it would be necessary to mention them at all, because if a *land job* club be established now, I do not see why in Dublin, amongst the working men of the city, the circumstance of their having hundreds, or their subscription being very different from what it is at Kildare-street, puts them in a different legal category, and it will create far more difficulty in the magistrate dealing with them, no doubt. I may go further and say, that if the evasions become so frequent, whatever was the difficulty in carrying out the law, it would be just the case in which, regarding it as a matter of convenience, the Legislature would have to interfere and say they will not allow it at all.

1428. You have mentioned to the Committee that in your opinion people of the lower classes have really at present no pleasures or places of resort excepting public-houses, and still you are willing to make this change there being an absence of these resources; do you not think that it would be a safer plan to declare that in such a town as Dublin the Act should not take effect until there had been a certain number of refreshment-houses, such as coffee-houses and houses of the same sort, distributed and established under guarantees for permanence, that would give accommodation to those classes who were so suddenly excluded from the places which you say are the only places of resort now; would not that carry out your view of society being bound to give some guarantee of the *bona fides* of its intention, making this not a repressive measure, but a measure for the improvement of the social condition of those classes?—I think in the abstract your idea in that case seems a very sensible and wise one, but I think that the working out of this measure would not be applied immediately; I presume, if it were passed, it would be the 1st of January 1878, or perhaps a later date, that it would come into operation. Then, in the meantime, I cannot but think that the ordinary healthy principle of commercial development would at once develop those places; people now will not dare to start a coffee-house, because it is in competition with what is the favourite and which is resorted to; but I think it would be a healthier thing to allow the ordinary principle of commercial competition and commercial investment, where it is likely to be productive and to work out its own usual effects, than to do what really might mean this: You are not to close public-houses until coffee-palaces are in existence and other means of amusement, and more than that, you have an untrained people who will never allow them to come into existence as long as the public-houses are there.

Mr. William Johnston.

1429. Evidence has been given of a large amount of illicit trading in Dublin; have you formed any opinion as to the best means of suppressing it?—I think what is necessary is an earnest resolution on the part of the community generally; 0.59.

Mr. William Johnston—continued.

I do not confine it to the police, but I say to the magistrates, to the Recorder, to the police authorities, and to all people who are interested in carrying out the law. I think they are all resolute about it, and if the Crown continue as they are doing still, to afford the advantage of a public prosecutor in those cases, I think that the police will be encouraged to do what I believe they are enabled to do.

1430. I think I gathered that it was your opinion that there are a number of people in Dublin that do drink upon Sunday, but yet a considerable proportion of them would join in the prayer to the House of Commons, "Lead us not into temptation"?—I cannot say.

1431. With regard to excluding Du-lis from the operation of the Bill, you have, I think, already given evidence that you see no reason why a Bill which in the wisdom of the House of Commons, and for sufficient reasons, was applicable generally to Ireland, should not be also extended to Dublin?—

Mr. Sullivan.

1432. You have been asked as to whether it would not be better to wait, and not have Sunday closing until many other ameliorating efforts were tried in Dublin; would it not be wiser to try such ameliorative efforts that, side by side with those efforts, gradual Sunday closing should take place?—That is deserving of the greatest consideration, I think.

1433. Would these efforts have all the fair play that the law might give them if public houses were still allowed to be open on Sundays?—That is what I fear they would not.

1434. Supposing Parliament enacted that the present hours of trading on Sunday in Dublin were to be shortened by two hours, and the year after that by two more, and so went up within three, or four or five years to total Sunday closing, thus giving time for these ameliorative efforts, domestic and public, do you think that would be a very good way of arriving at Sunday closing for the general welfare of the people?—Provided, I would say that a gradual change was the wiser and more experimental one.

1435. Would it not be free from certain dangers that might attend a sudden shock, like total Sunday closing?—Yes, on the one hand it might; but, then, it is really, after all, only a question of degree; and if this evil is so large as I think it is, I may be looking at those things with magnifying glasses. But I have been very much shocked at what I have seen, and I really have not any hope for the people until this vice is, if not eradicated, enormously lessened; and, therefore, though I contemplate the other view, I am not certain that it would not be better to put an end to the question at once. I think that it is very likely you are right, and what you point out is wiser than what I have suggested.

1436. I am merely putting that question with a view to elicit your opinion upon the propositions which I have heard made; questions have been put to you to-day, as to why would you not close those houses on every other day because you would close them on Sunday; as matter of fact, as Recorder of Dublin, is it the law that all kinds of traders are allowed to trade on Sunday?—No; on the contrary, it is against the law. I may state that it is a most material thing, although it is largely settled by principle; this

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Mr. Sullivan—continued.

Sunday trading is altogether anomalous, but it is not only anomalous, but unfairly anomalous, because the privilege of trading on Sunday was granted upon an hypothesis which is non-existing now, namely, upon the hypothesis that those were only places for refreshment; it had begun by the innkeeper being bound to sell what was required in places where everybody had the right of entry at common law, and where nobody could be refused without having an action for it by common law. A man must eat and must feed upon Sunday, because manna does not come down to us as it did on one occasion, and, therefore, this privilege of keeping the house open was granted on Sunday, but it was granted for the purpose of supplying food and shelter, and general refreshment. But now that it is an exceptional case, where that is so, it there does not seem at all to be the same reasons that there were for exceptional and anomalous trading on a Sunday.

1437. Then we need not deal further with the questions which the honourable Members have put to you about whether you would not close on other days, because you would close on Sunday; it is very well known, I believe, even to Members of Parliament, that the law is that it is not legal for other trades to trade on Sunday. I will ask you if we asked the magistrates of a city to tell us what trade ought to have the exceptional privilege of trading on a Sunday that would least contribute to the disorder and crime of the city; would it be the drink trade, or would it lead more to disorder if the butcher or baker were allowed to trade, or did trade, all day on Sundays?—That question answers itself; I never heard of an Irishman dying of eating bread.

1438. Or beating his wife as a result of eating bread?—No.

1439. The honourable Member for Dublin asked you about a famous petition which he said was signed by 12,000 working men; did you ever bear that one of the signatures to it was H. M. Sullivan, M.P.?—No, I did not.

1440. Did you ever hear that that petition, which pretended to be from the working men of Dublin, purported to be signed by Alderman McSwiney, the ex-Mayor, and a member of the Sunday Closing Association?—I was not aware of that.

1441. As a Recorder of experience of the people of Dublin, did you ever hear of any citizen of Dublin named J. Rample Stample Stinson?—No; Mr. Burnard might answer that I think.

1442. That was one of the signatures to that petition; is it your experience in dealing with the drinkers of Dublin as Recorder, that we may take

Mr. Sullivan—continued.

it that they are on the whole divided into three classes; those who care a great deal about drink, and will resort to illicit indulgence, or those who do not care about it at all; and the third or middle class, who will take it if it is very near them, but who will not feel it a great hardship if it is away from them?—I do decidedly think so. I think that the intermediate class is perhaps the largest of all.

Mr. Brooke.

1443. On the subject of petitions, in order that the Committee may not be misled, are you aware that petitions have been sent here year after year?—I am not, indeed. I assure you that anything I have had to say about this I say with hesitation, and it altogether arises from the experience that I have had since I have been Recorder in Dublin, and the dreadful revelations that have been brought before me.

1444. Are you not aware that a petition was sent into this House in the year 1875, which bore the address, and the signature purported to be the signature of Mr. Jonathan Pim and others, which purported to come from working men, and which the working men declared were sent in by the members of the Temperance Association?—No; Mr. Sullivan must settle that question with you.

1445. Have you heard that a petition was sent in last year, signed by 12,000 working men of Dublin, that was not impeached even by Mr. Sullivan?—I thought that was the one that he was asking me about; I never heard about it until to-day.

1446. With regard to this Sunday trading, you said that you would not permit any trade on Sunday; would you permit the sale of milk and eggs?—I did not, indeed, say that I would not; what the honourable Member for Leath asked me was, is there any other trade that has this special advantage, and then I said that there was an anomalous advantage which was granted to innkeepers. I was not giving any opinion upon these things at all. I would like to see the seventh day kept well; I am not an extreme Sabbatarian, but I have no difficulty whatever in permitting them to buy bread, if they require it.

1447. Are you or are you not aware that the people are obliged, in a great many cases, Coláiste and Moore-street, where they sell meat, vegetables, potatoes, turf, and bread, to keep open on Sundays?—I know there are some of these small shops open.

1448. And, therefore, is it not inaccurate to say that trade is confined to public-houses?—We are speaking of a thing in the large; there are these small traders, and nobody would like to interfere with them.



Friday, 9th March 1877

## MEMBERS PRESENT:

Sir Michael Hicks Beach.  
Mr. Bruen.  
Dr. Carson.  
Colonel Cole.  
Mr. Len Hamilton.  
Mr. William Johnston.

Mr. Law.  
Mr. Meldan.  
Mr. Mulholland.  
Mr. Murphy.  
Mr. O'Shaughnessy.  
Mr. Sullivan.

THE RIGHT HONOURABLE SIR MICHAEL HICKS BEACH, BART., IN THE CHAIR.

Mr. Alderman McSWINEY, J.P., KNT., G.C., Greg. Mag., called in; and Examined.

Mr. Law.

1439. You are a member of the Corporation of Dublin?—I am.

1440. And also a magistrate of the city?—Yes.

1441. I believe you have been lord mayor?—I had been lord mayor in 1864, and also in 1875.

1442. Have you had opportunities of judging of the state of public feeling in Dublin as to this question of Sunday closing?—Yes, I had repeated opportunities during my year of office in 1875, when I presided at, I think, four public meetings on this very question; two at the Rotunda, where about 2,000 or 2,500 people, chiefly of the working classes, were present; and two at the Mansion House, where a smaller number of persons were congregated.

1443. The meetings at the Mansion House, I presume, were more of employers of labour than of the working classes?—Yes, they were chiefly employers, but those I speak of in the Rotunda, the largest room in the city, were thronged with the working classes.

1444. Were those entirely open meetings?—Completely open. When putting the resolutions, I stooped to get an expression of opinion from the people present, and I think only on one occasion, and by one individual, was there any dissent expressed. I asked that a passage should be made through the crowd, so that that person could come near the chair, and also near the reporters, the gentlemen acting for the press.

1445. When you speak of dissent, do I understand you to mean that the resolutions proposed were in favour of Sunday closing?—Certainly; and only one expressed a "No" when I was putting the resolution, and I calmly put it with a view of getting a response from the one side as well as from the other in order to guide me in my judgment.

1446. Was it competent for those who dissented to propose an amendment, and an opportunity given to them?—Yes, most certainly; because I asked that a passage should be made through the crowd so that any person dissenting might come near the platform.

1447. What was the result?—The result was that when the passage was made for the individual referred to, he retired giving one monosyllabic expression of dissent.

0.59.

Mr. Law—continued.

1448. The resolution I presume was carried?—Yes, unanimously; there were three or four resolutions bearing upon the point, all of which were carried unanimously.

1449. That of course was after the resolutions passed in the House in 1874 in favour of Sunday closing?—Yes, it was.

1450. What time of the year in 1875 was it?—I think it was early in the year; I could not well tell you the month, but I know that two large public meetings were held during my year of office.

1451. Do you know whether it was when Parliament was sitting or in the recess?—I cannot fix the time.

1452. You speak of two meetings at the Rotunda: did that expression of dissent from the individual you mention take place at one meeting or at both?—At one meeting, that was the first, when there was that expression of dissent; at the other there were perhaps four or five, but they were youths who caused a little disturbance and were very soon silenced.

1453. Was any amendment proposed at the second meeting?—No amendment whatever.

1454. Were the resolutions at the second meeting substantially the same as at the first, in favour of Sunday closing?—Substantially the same.

1455. As applied to Dublin?—As applied to the whole of Ireland.

1456. I presume from your opportunities of knowing the people of Dublin, you have some means of giving us an idea of what the feelings of the working classes are upon this question; could you give us any opinion as to what might be taken to be the general feeling of the working classes as to Sunday closing?—I have pretty intimate relations with the working classes having had them on several occasions in my employment, and I could glean from themselves that they would be very happy to be rid of the temptation of public-houses on Sundays; and I had occasion to see their condition in their dwellings and in their crowded and wretched rooms. In my official capacity I had occasion to visit a good many of the dilapidated houses of Dublin, and I then noticed the condition of the people; and when speaking to them they expressed their desire that they would be glad indeed to be rid of the temptation, and the sollicitations

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Mr. Law—continued.

tious of their friends of going to the public-houses on Sundays.

1467. Would you apprehend any general feeling of annoyance or sensitiveness to inconvenience from among the working classes, if the public-houses were closed?—I believe there would at first be some inconvenience felt, and several would probably complain that the opportunity of this enjoyment was denied them. But on the whole, I think the advantages that would be gained would outweigh the inconvenience. I remember, in the case of the temperance crusade that was led by the great and good Father Matthew, how readily the people fell into what might be the fashion of the thing, namely, a desire to conform to what was good and what was for their benefit.

1468. Would you expect that that feeling of dissatisfaction would be the prevailing feeling?—I should certainly expect there would be some dissatisfaction; but I do not apprehend that that dissatisfaction would lead to anything like a public demonstration, or increase the hours or the duties of the police in keeping order.

1469. What I want to ascertain from you is, whether, in your opinion, a feeling of satisfaction or dissatisfaction would be the more prevalent?—I am satisfied that the feeling of satisfaction would be the more prevalent.

1470. There would be some complaints, would there not?—Yes, of course there would.

1471. If this Bill were passed, and applied to Dublin generally at once, completely closing the public-houses on Sunday, would you apprehend any disorder or any rioting in consequence of it?—Certainly not. I have proof of how the people would readily conform to what they believed would tend to their good, because I may instance two or three great occasions, in all of which I had taken part. The chief one was on the 6th of August 1875, when from 500,000 to 600,000 people had assembled in Dublin. I remember on that occasion the enormous masses that thronged into the city, not only from all parts of Ireland, but from England and Scotland, and from early morning until late in the evening, there was no drunkenness to be seen. In the first place, the public-houses were closed, to their credit be it said, by the consent of the publicans, and they have earned thereby the good opinion of the people of Dublin for the action they had taken on that occasion. As far as I could see, the interposition of a single policeman was not required, and I passed through that enormous throng.

1472. That, of course, was on the special occasion that you speak of?—Yes.

1473. But supposing that public-houses were closed for the whole of Sunday as a permanent measure, that would test the people's feelings more than an occasional thing like that?—Yes; but I do not apprehend any riot or any disturbance worth the name would occur; a few boys or a few people may be collected who would glory in a little disturbance, but nothing of any moment.

1474. There will always be something of that kind, will there not, in a large city?—Yes; but nothing of any moment whatever.

1475. Do you know whether there is much illicit sale of drink in Dublin; I mean the sale in unlicensed houses?—I think there is a good deal going on in Dublin, but I understand that

Mr. Law—continued.

it has decreased by the increased vigilance of the police.

1476. I do not know whether, as Lord Mayor in 1875, you had anything to do with it?—No, I had nothing to do with it; in the court over which I presided those cases had not come under my notice.

1477. Perhaps you were not in a condition to compare 1875 with 1884 with respect to illicit sale?—No; but my memory stretching back to 1884 leads me to think that an increase of drunkenness appeared in 1875 as compared with 1884, because when opening the city commissioners with the judges in both years, in 1884 the judges complimented the city, and in addressing the grand jury stated how free from serious crime was the city of Dublin, and how well behaved and orderly the people were generally, whereas in 1875, on opening four commissioners, the reverse was the case. The judges, in charging the jury, spoke of increased drunkenness and increased crime, and attributed that increase to the facilities that were given to the people for drinking.

1478. What would be your opinion as to the power of the police to cope with any illicit sale of liquor in unlicensed houses; have they sufficient power to cope with anything of that kind?—My opinion is that the police by increased vigilance could very much decrease the illicit sale. I believe that a finer body, or a better body of men does not exist in any city in Europe than the police of Dublin, and that an intimation from head quarters would stimulate them to do a great deal more than has hitherto been done in suppressing the illicit sale.

1479. Something was said on Tuesday last about the feeling and opinions of the Catholic clergy in respect of Sunday closing; have you any means of knowing, for example, what the feeling of the clergy in Dublin upon that point is?—I have as fair an opportunity of judging of their feelings as most people, and from my intercourse with them I think that there is no doubt whatever of their being very much in favour of Sunday closing, and also a diminution of the hours on Saturday evening. And again, I may tell you that on the occasions I referred to of the public meetings, several clergymen occupied the platform.

1480. Do you know what are the views of Cardinal Cullen upon that point?—I have had repeated opportunities of knowing the views of his Eminence; he has not only contributed to the funds, but has written letters of the most encouraging character to the secretaries of the association.

1481. Has he given any opinion publicly upon the matter in his pastorals?—His pastorals as well as his sermons certainly tend to support this movement, and the same may be said of the bishops all through the country, seven-eighths of whom at least are direct supporters of the association.

1482. You mean the Sunday Closing Association?—Yes; I believe there are only three who have not sent their direct adherences, but who I rather think will yet do so.

1483. Dealing only now with Dublin, which is the subject of our present inquiry, so far as the influence of the Catholic clergy can affect the disposition of the people, is it favourable to Sunday closing in Dublin?—Most certainly.

1484. You

Mr. O'Shaughnessy.

1464. You say that there are some bishops who have not given in their adhesion to this programme?—I believe about three.

1485. Who are the three, do you know?—The Most Reverend Dr. MacHale, the Archbishop of Tuam; the Most Reverend Dr. Dorrinan, Bishop of Down and Connor; and I cannot now remember the third bishop, but I think there are three.

1486. Dr. MacHale, I believe, has passed all his life in Ireland?—He has.

1487. And he knows the peasantry and the inhabitants of the towns in his neighbourhood as well as any bishop in Ireland?—I believe he does.

1488. Dr. Dorrinan is the bishop of a very large centre of town population, is he not?—Yes.

1489. Assuming, as is very natural, that we should pay greater deference to the opinion of the vast majority of bishops, do you think it would be unreasonable that we should so far defer to the views of those three very experienced Irish prelates as to begin by a gradual movement in the direction of Sunday closing?—I think that when so large a preponderance of the prelates have pronounced in favour of it, that ought to guide the Legislature in the Bill they would frame; and as regards the gradual closing, that is to say, the abridging of the hours, I do not think it would work so well as to close public-houses immediately.

1490. As I understand you, you would not defer to Dr. MacHale, Dr. Dorrinan, and the other prelate, by proceeding gradually, instead of suddenly, in this movement?—As I have stated before, I should be disposed to be guided by the expression of opinion of the majority. Whilst I would pay every deference and every respect to the prelates who have not joined the movement, at the same time I would exercise my own judgment, and my own judgment leads me to incline to the views of the majority.

1491. You referred to the 6th of August, and to the admirable conduct and sobriety of the people on that day; do you think that if public-houses were closed, except during certain very restricted hours, in Dublin on Sunday, and if you and other gentlemen, and the clergy, appealed constantly and vigorously to the people, and asked them, as you did on that occasion, to keep sober, do you think that that would have a very good effect?—No doubt it would have a good effect, but I doubt that it would produce all that would follow from the aid of legislation. In a large city and a mixed population you cannot expect the same results in that direction as would come from smaller towns and with smaller populations.

1492. Then you are disposed to think that it will actually require so stringent a measure as complete Sunday closing to get rid of the great evils of drunkenness among the inhabitants of Dublin?—I think that to apply a radical cure it is best to close the public-houses. I believe, if the hours were abridged, in the short time allowed, greater evils would arise by excess of drinking, because I have seen some sad cases where, from many causes (coming in late, and so on), only a short period for drinking was available; and in one case death ensued where a man taking off a pint of whiskey was smothered, &c.

Mr. O'Shaughnessy—continued.

and I saw him borne away from the scene of his delirium quite dead.

1493. Do not you know that those cases are extremely rare?—I know they are, but I say that in my opinion the total closing would have a more beneficial effect in restraining drunkenness than, as you put it, gradually weaning the people by abridging the hours.

1494. You said that you believe that there would be some dissatisfaction amongst a minority of the classes affected by this legislation if total closing took place?—I think, for a while, that would be probable.

1495. Seeing that there would be some dissatisfaction amongst a minority, do not you think that there is a case for beginning, as I said, by degrees, and for the present merely to lessen some of the hours?—I think that it would be a very small minority, and, as I stated before, I believe that the advantages of entire closing would counter-balance the inconvenience that would arise from it.

1496. As regards the working classes, are you brought much into contact with the working classes?—I have had very intimate connection with them.

1497. I mean as an employer?—Yes, as an employer, and in other ways, as you may understand, as member of a visiting association, where I have come in contact with cases which few members of that body care to speak of; but I have visited them in their homes, their rooms, and in their hovels.

1498. I do not mean as a member of a charitable association; but are your relations as an employer with the working classes of that character which would enable you to speak of their opinions?—Yes; because I have had occasion frequently to see them in my employment, and also to speak to them.

1499. Are not the majority of your employees rather of the middle classes than of the lower classes?—I am spending now of workmen who have been employed by me. I thought you alluded to the persons whom I employ as tradesmen.

1500. I meant in your establishment?—The young men in my establishment, as a rule, are of the middle class.

1501. On what occasions and in what respect are you an employer of the working classes, so that you can speak for them as an employer?—When we have works and extensions or improvements to make.

1502. That is to say, when people come to work on your premises under the employment of others?—Yes.

1503. But you are not an employer of the labouring classes in the sense, for instance, that a great building contractor is, or that a railway engineer is?—Our company expends a good deal of money in weekly wages amongst tradesmen of various kinds, and I come in contact with those people, and I know something of their feelings and of their condition, and my belief is that the squalor and misery which I have noticed arises chiefly from indulgence in drink.

1504. You spoke about the police being able to cope with the increased dangers and difficulties which might arise from Sunday closing, and you said that you thought that by a little additional exertion they would be able to cope with them?—I think so; that is my belief.

1505. Are you aware that one of their principal

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cipal officers, Captain Talbot, expressed very strong doubts on that subject?—I read his evidence. I was not there when he gave his evidence, but I must say that I do not concur with Captain Talbot in his view of the riots or disturbances such as I understand he expressed apprehension of.

1506. He did not apprehend any riots, but difficulties?—I thought I read in the papers that he apprehended riots.

1507. I suppose you will admit that on the subject of the capacity of the police force to meet difficulties of that kind, Captain Talbot has greater opportunities of coming to a conclusion than you have?—I should expect that he has.

Mr. Fox Hamilton.

1508. With reference to the public meetings, do you consider that the attendance at those meetings fairly represented the classes which would be most affected by the operation of this Bill?—As I stated before, the meetings referred to were composed of a vast majority of the working classes, those who would be affected by this measure.

Mr. Bruce.

1509. When you say that the meetings represented the vast majority of the working classes, do you mean that the vast majority of those who attended the meetings were of the working classes?—Yes, that is what I meant to convey. The room now is said to hold about 2,500 persons without seats, and on those occasions there were very few seats, and the people were mostly standing, so that about that number must have attended on the two occasions that I have alluded to.

Mr. Murphy.

1510. The meeting that you refer to, I take for granted, was called exclusively in support of the Sunday-closing movement?—It was a meeting in support of the Sunday-closing movement.

1511. Of course it was not very likely that there would be any very great difference of opinion in those present?—I do not think that "exclusively" would be a proper term to use, because the meeting was free and open to others, therefore it was not exclusive.

1512. The object of the meeting, I presume, was to support the movement?—Yes.

1513. And it is to be presumed that everybody who attended it attended for that purpose; is not that the natural inference?—Yes; but that did not exclude others, because the doors were open to all.

1514. You said that you have had some opportunities of questioning tradesmen, and men of the working classes, as to their opinion about Sunday closing; those, I suppose, were men who were in your employ or who were doing work for you when you occasionally met them or otherwise?—I have not only questioned them, but I have ascertained their feelings when in the employ of our company, and had occasion to reprobate with them when I found they were absent from duty, especially on Mondays. I pointed out the great loss to themselves and to their families by indulging in drink on Sundays; and, as I mentioned to you, they freely admitted the evils, and stated that they would be very glad to be rid of the temptations that were thrown in their way.

1515. I think it is seriously necessary to ask

Mr. Murphy—continued.

you if these men whom you questioned were not quite aware that you were a very sincere advocate of this measure?—I suppose they knew that very well.

1516. Do you think it likely that knowing that they would have been disposed to give you an answer different from what they did?—I do not base my experience and knowledge so much upon those directly in my employ, as from my knowledge of the persons whom I meet in various parts of the city, in my visits to them, and consulting them upon what would be the best for themselves and their families; and they have freely admitted that the cause of their misfortune was their indulgence in drink, and that they would be glad the temptations were lessened.

1517. Still the question that I ask you is this, I presume that they were perfectly aware what your opinions were?—I believe that in many of the cases I allude to I was a total stranger to them.

1518. That is to say, your belief is that you were a total stranger?—I not only believe it, but I know that I was a total stranger.

1519. Do you think it likely that you, who are a public man in Dublin, who was Lord Mayor of the city twice, who takes a very prominent and very useful position in public affairs, were unknown to any one of the artificers or common people of Dublin?—I am very sure that I am unknown to many. There are quarters of the city which I had never visited until, as I tell you, those visits that fell to me in my position as a member of that society, and also when I visited the poor in different parts of the city in my official capacity.

1520. That observation of yours, no doubt, would be very applicable to a private individual; but do you, or do you not, think it likely that you, who were in a prominent position in the city, would be well known as a matter of course, although you might not have visited the localities more than once, and that the inhabitants of those localities who attend public meetings, or at least who attended upon two occasions, would recognise the well-known appearance and presence of Alderman McSwiney; do not you think that more likely than otherwise?—Yes, if there was any announcement that I was about to appear in those localities.

1521. I do not refer to your appearing in those localities so much as to your appearing upon public occasions in the city during your year of office; do not you think it likely that the people of Dublin would know your presence better than that of a private person?—I think that the majority of people in Dublin would know me, but I adhere to what I stated before, that I have alighted upon scenes and houses in parts of the city where I was utterly unknown, and it was only after I had left those scenes that some people in the neighbourhood expressed their opinion that they believed that I was so-and-so.

1522. You stated, I think, that in your opinion there would not be (and I agree with you) any disturbance or riot, or anything of that kind, if this measure was passed; but are you still of opinion that although there would be no open expression or demonstration, or anything of that kind, the classes who use public-houses in moderation, the persons whose habits on a Sunday are to go and take moderate refreshments with their families, or if they are going out or moving about, would

Mr. Murphy—continued.

would not feel a grievance by the passing of this measure, when they themselves feel that there is no occasion, so far as they are concerned, to close the public-houses?—I have no doubt that some dissatisfaction would be felt on the part of several, but I believe that, on the whole, the people would be glad of the proposed change in the law, and that they would readily conform to that change; and, as I stated before, they would give little or no additional trouble, even in the commencement, to the police by reason of that change. And again, if you will permit me, I think I can give a reason why I believe there would not be that great inconvenience which some people attach to this measure. The people, such as you allude, the well-ordered and moderate drinkers, would provide their refreshments on the Saturday, as well as they do their tea and sugar, and store their refreshment in drink quite as well as they store their other provisions for Sunday; so that I do not apprehend that there would be any great inconvenience felt on the part of that class, seeing they could make provision for the Sunday by a little forethought.

1523. Am I to understand from that statement of yours that it is only the people who do not store their provisions or their refreshment on Saturday that frequent public-houses on Sunday?—No, I did not mean to convey that; I merely answered your question by stating that the small inconvenience which I supposed would be felt by this change in the law would be met by the opportunities which people possess of providing themselves with what they may require on Saturday as well as they provide groceries and other things.

1524. That is to say, when this measure has had effect?—Yes.

1525. You do not talk of their storing on Saturday for Sunday as a present habit?—No; they have no necessity.

1526. You assume that if this measure was passed, those parties who frequent public-houses now for the purpose of taking moderate refreshment would not be inconvenienced, because they would supply themselves on Saturday?—I do not think they would be seriously inconvenienced.

1527. You also stated that in your belief the closing of public-houses on Sunday would be a radical cure; for intemperance, I presume you mean?—What I meant to convey was that it would tend in that direction. I do not say that it would be a radical cure for intemperance, because people can become intemperate in their own homes as well as in public-houses, but I believe it would have that tendency.

1528. Looking at the object of this Bill, your opinion, then, is that, although it might not cure intemperance, it would still be a move in that direction?—It would be a move in that direction.

1529. Of course your object, and every reasonable man's object, I know, is to take every possible means they can to repress intemperance, and that is the view which the promoters, I take for granted, of this Bill profess to have. Supposing that a authoritative evidence tended to show that it would not have that effect, what would be your opinion then?—Indeed, the evidence should be of a very overwhelming character to alter my opinion; from what I have stated to the Committee, my experience during now a great number of years in Dublin, and especially when I had an official position, went to satisfy me

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that the expression of opinion on the part of the working classes themselves was decidedly in favour of this Bill.

1530. What proportion, in your opinion (because it is of course mere matter of opinion), of intemperance is there in Dublin, as compared with the moderate use of drinking among the working classes and the lower classes?—I do not think that I could answer that question without consulting statistics; I should have the statistics before me, such as you have an opportunity of studying.

1531. What would be the test of the statistics?—I think the number of people who have attended the public meetings that I have alluded to, and the number of petitions that have poured in upon the subject, would be a fair test.

1532. That would be a matter of opinion; but I am talking now of the fact of intemperance as opposed to moderation!—One must take the evidence of his own experience and judge for himself. I am very much in and about Dublin, and my experience leads me to this conclusion, that intemperance on Sundays is on the increase, and that a Bill such as is proposed would tend to abate that intemperance; and I believe it would be a very great advantage to the people, especially to the working classes.

1533. Supposing that it should be proved that those who are intemperate and who will have drink (because that is the class only really to be looked after, and not those who use it in moderation), and supposing that it is the opinion of those who have an opportunity of judging, that notwithstanding the closing of public-houses on Sunday that class would still be able to pursue their baneful course; do you think, if that be proved, that the admitted inconvenience which would be inflicted upon those who use public-houses in moderation would be counterbalanced by the chance of preventing those who are intemperate pursuing their evil courses?—I am aware that there are in Dublin a great many people who are so addicted to drink that they will provide it under any circumstances, whether the houses be closed or open; but I look to the effect that the closing of public-houses will have, not upon that class, but upon the moderate drinkers, and more especially upon the youths of the city. I think that the great troubling block in the way of the youths of Dublin, and of those who come up from the provinces to learn trades and professions in Dublin, is the opportunity of getting refreshments in bars and public-houses on Sundays. I have noticed of late years that which every friend of the country must regret to find, that well-dressed young females accompany youths into these places, both in the city and in the suburbs; and I believe that does not tend to uphold the modesty and retirement for which our countrymen are so justly famed, and which qualities are the pride and glory of the Irish people. As an employer, and as an alderman of the city, I have taken an interest in this question from, I believe, its commencement, chiefly on account of the mischief which has been done and will be done to the youths of the city of Dublin by reason of the public-houses being open, and the bad example and scandal which are spread among young people.

1534. Supposing the public-houses to be closed in Dublin on Sunday, do you believe that these youths of whom you speak would not be able to procure drink elsewhere?—I believe that, instead

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of waiting, as I have seen them, about public-houses until the hour of two o'clock, to resort to those houses, they would betake themselves to the country and to the few gardens, and opportunities which the vicinity of Dublin presents, and enjoy themselves there, and that they would soon forget the attractions and inducements of public-houses.

1535. Do not you think that they would be able to get their drink in those gardens and other places just as well as in Dublin?—By no means; you do not mean to say that drink is sold at the People's Garden, or at the Botanic Gardens.

1536. Supposing they went three miles out of Dublin, would they not be able to get it?—I expect that this Bill will include not only three miles, but many miles, outside Dublin.

1537. On the whole, looking at it as a matter of principle, do you or do you not believe that this legislation is one which would be in opposition to the feelings and habits of a large number of the population?—To say a large number would refer to the minority; I, however, believe that a vast majority of the people of Dublin of all classes, including the working classes themselves, are in favour of this Bill.

1538. I ask you whether or not you believe that the passing of this measure would be in contravention of the feelings and habits of a large number, whether a minority or not?—I think it would be against the feelings, naturally, of those who frequent public-houses.

1539. In other words, it would be a kind of despotic measure?—I dare say it would be in that respect, but I do not think it would be so regarded by the majority.

1540. Would you call it a benevolent despotism?—Yes, I would, in the interest of the people themselves.

Mr. Meade.

1541. You were asked by the honourable Member for Limerick whether three Roman Catholic bishops of Ireland had not assented to this proposed Sunday closing: did I understand you to say that any one of them dissented from the principle?—I think Dr. Dorrigan has given expression to some views, but he could hardly be said to be dissenting. If I remember rightly, Dr. Dorrigan hoped that through the means of religious influences, bringing people together in sodalities and under the influence of religion, and bringing them to the sacraments, that he relied more upon those means than upon legislative action in the matter. I have not read for a long time anything in connection with Dr. Dorrigan's special views, but my memory enables me to give expression to views which I have just thrown out.

1542. You were asked as to the Archbishop of Tuam; are you aware whether he ever dissented?—I am not aware that he ever dissented. I should like to mention to the Right honourable the Chairman that I think that in the archdiocese of Tuam, as well as in the dioceses of the other prelates who have not given what may be called a direct adhesion to the movement, petitions have come in great numbers from the clergy of those dioceses to the House of Commons in favour of this measure, and I rely upon that as the best proof of support. I have heard it stated here that only 864 priests had appended their names to the memorial, and it surprised me that so many had

Mr. Meade—continued.

done so, and for this special reason; I think that it would be a work of supererogation on the part of the clergy to sign memorials or petitions on this subject, especially when printed documents are sent to them, which come in great abundance to all clergymen as well as to public men, and are laid aside, and perhaps forgotten; but I believe I am correct in stating that at the doors of nearly every Catholic church or chapel in the country petitions were signed.

1543. That, of course, could only take place with the assent of the clergyman of the parish?—It could only take place with his assent, and it is the best proof of the support and sympathy of the clergy in this movement, because they know that it would tend to the good of the people.

1544. Is it not notorious that the principle of Sunday closing is supported in Ireland by the Roman Catholic priests, bishops, and clergy?—I have already stated that it is notorious.

1545. Is it not also notorious that all coercive legislation is opposed by the Roman Catholic clergy of Ireland on principle?—Most certainly.

1546. In your opinion is it not perfectly conclusive that the Sunday-closing movement is not looked upon as coercive, finding that the body of the Roman Catholic clergy are in its favour?—I believe that if it were regarded as a coercive measure, the clergy would be in the very front of the movement to thwart it, as they are upon all occasions when they find the interests and the welfare of the people are imperilled.

1547. You were asked as to the meeting in the Rotunda; may I not ask you if that meeting was not perfectly fully and freely open to all the world to go there?—Most certainly.

1548. Was there any objection or impediment to any person who *bona fide* wished to move an amendment?—I never saw, and I cannot even think, that any such attempt was made; and, as I mentioned before, when putting the resolutions, I put them calmly and quietly, and invited any dissentients to come forward and state their views contrary to those resolutions.

1549. You have a very intimate knowledge of the working classes in Dublin; you visit amongst the poor, and you have great experience, and know them thoroughly; what is your opinion of the wishes of the majority of the working people of Dublin upon this question, speaking from your experience of being amongst them?—My experience is that the vast majority of the people are in favour of the closing of public-houses, which would mean the removal of the temptations which beset them, because I find that they desire very much in their serious moments the loss of both time and money, and when spoken to on the subject they say they would regard this Sunday Closing Bill as a measure of great benefit to themselves and to their families.

1550. Have you any experience of the working of Sunday closing in any of the parts of Ireland where it has been in operation outside Dublin?—I have not been much in the country since I left the south of Ireland; but from all I can hear the movement in the Archdiocese of Cashel, which was set going by the late Archbishop Lenhy, has been a very great success, and the faction fights and disturbances which prevailed there some years ago no longer exist.

1551. Have you any experience or knowledge of the wishes of any number of publicans in Dublin

Mr. Mahon—continued.

Dublin on this Sunday closing question?—I have heard the views of some of the publicans themselves, and they tell me that the majority of their body are in favour of Sunday closing, but that they are restrained by the selfishness of the minority, who cannot make up their minds to make the same sacrifices which the majority are prepared to make.

1552. Is it not a fact that in some portion of the city Sunday closing was tried by some of the publicans?—It was tried with signal advantage.

1553. Is it not a fact that that movement failed altogether by reason of other public-houses in other parts of the city being opened?—I believe that is the fact, because the people to whom I refer stated that the majority of the publicans were in favour of closing, but that the influence and example of the minority prevailed on them to keep open their houses on Sunday.

1554. The result, I believe, of the attempt to close the public-houses in a portion of the city was that all who wanted drink were driven into the other parts of the city to get it?—Yes, that was a natural result.

1555. If Dublin is excluded from the operation of this Bill, and it is applied to places like Clontarf or Drumcondra, or say Kingstown or Rathmines, would not the result be that a large number of drinkers would be driven into the city upon the Sunday, and drunkenness be very much increased within the boundaries of the city?—I am satisfied that it would, and that then you would bring the city of Dublin to something like the condition of Donnybrook in former times. People would resort from all parts of the country into the city, and then indeed would come increased troubles to the police, Captain Talbot included.

1556. Do you think that the respectable citizens of Dublin would quietly tolerate the exemption of Dublin from the Bill, and letting the operation apply to the places round about?—I am very sure that they would not, and that that expression of opinion lately given in Kingstown and in Rathmines would prevail all over the city of Dublin, and that those meetings would be followed immediately in every ward and every parish of the city of Dublin.

1557. Would not the exemption of Dublin from the operation of this Bill tend very much to keep a large number of persons who usually drink on Sunday in the city of Dublin, and prevent them going to Kingstown and to the country for their amusement, as they even at the present time do?—Yes, that is my belief, crowds of people, including the young, will remain until the public-houses are opened at 2 o'clock on Sunday, who, if those houses were closed, would resort to the country districts and seek recreation and amusement there.

Mr. Bruce.

1558. You spoke of the immense concourse of people who came into Dublin on an occasion of public interest to them, some two or three years ago, and I think you said 500,000 or 600,000 people came into Dublin, and that the sobriety of the crowds was very remarkable?—You misapprehend me; I did not say that 500,000 or 600,000 came into Dublin; I said the numbers present, which included of course the population of the city, was computed at, as

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Mr. Bruce—continued.

some said, as much as three quarters of a million, but I have heard from good judges of multitudes that between 500,000 and 600,000 was the enormous collection of people upon that occasion.

1559. Did you attribute the extreme order and sobriety which distinguished those crowds to the fact of the public-houses being closed on that day?—Most certainly.

1560. What day of the week was it?—It was on a Friday.

1561. By what authority were the public-houses closed?—His Eminence the Cardinal Archbishop published a letter asking in the first instance the people to abstain from drink, and the publicans to their credit, he it stated, fell in with that view, and closed their houses until late in the evening of that day; and even when the houses were opened, and that at a late hour, if I am correct in the figures, only 11 or 12 cases were brought before the magistrates on the following morning, which was a proof of the good order and sobriety of that immense mass of human beings.

1562. Then the public-houses were not closed the whole day?—From 6 o'clock in the evening until the usual hour at night they were open.

1563. As a matter of fact they were not closed the whole day; it was a partial closing?—They were closed during the entire day.

1564. Then do I understand you to say that they were open from six till nine?—From 6 o'clock in the evening I mean.

1565. At all events, taking a day in the ordinary acceptation of the term "day," the whole of the 24 hours there was not total closing?—No, for only a few hours in the evening the public-houses were open.

1566. The result was that the general temperance and good conduct of the crowd was not imperilled thereby?—That was the result.

1567. You said, I think, that if an intimation from head quarters were to be given to the police it would increase their vigilance and exertions against illicit trade?—That is my belief.

1568. I suppose that you do not mean to insinuate that there is anything like a desire to evade the question of illicit trade on the part of the heads of the department?—No, I want to convey that if more zeal were manifested by the heads the force would comply with that manifestation of zeal.

1569. Then you do mean to imply that there is a want of zeal on the part of the heads of the police?—I must say that in my opinion there is not sufficient vigilance exercised on the part of the police, and my belief is that if inspiration came from head quarters for increased vigilance that increase would come, and that the police would apply themselves more zealously in preventing the illicit sale of drink in those houses.

1570. That sale of illicit drink does prevail to a considerable extent, does it not?—Yes, that is my belief.

1571. Are you of opinion that any additional legal powers should be given for the suppression of the illicit trade?—I believe that the powers already possessed by the police would enable them to cope with the evil; I think that there might be this addition, that something more of a detective force might be usefully engaged in watching that trade and in suppressing it; and if the present force could be made available for that

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purpose, by the introduction of 10 or say a dozen more men, it appears to me that if more detectives were employed than are at present it would have the effect of largely diminishing the illicit sale of drink.

1572. You did not hear Captain Talbot's evidence, did you?—I did not.

1573. You did not hear then of the difficulties in his view of employing the police as detectives?—I read his evidence and, if I remember rightly, it was that the police would incur great disfavour by being supposed to be detectives. But I believe that the police to be efficient must be detectives, and that they ought to put down illicit sale as detectives are required to suppress other cases of breaches of the law.

Mr. William Johnston.

1574. The supporters of the Sunday Closing Bill for Ireland are not confined to total abstinents, are they?—No, certainly not.

1575. Are you able to speak as a magistrate of Dublin, as to what are the opinions of the other magistrates upon this subject?—As to the magistrates who preside in the Courts of Dublin, I cannot say that I have had much opportunity of consulting them upon the subject; but I know, so far as the borough magistrates are concerned—those whom I meet nearly every day—their feeling is that this Bill should pass into law, especially in the interests of the working classes.

1576. There have been in various parts of the country, at various times, riots known as bread riots; do you think that there is any danger of any drink riots in Dublin?—I do not indeed.

1577. It has sometimes been urged as an objection to the Irish constabulary that they are not sufficiently active in detecting crime; have you ever heard it urged against the Dublin Metropolitan Police that they are not sufficiently active in detecting crime?—Yes, I have heard it stated that they are, to say the least, indulgent, and that more cases might be taken up and brought before the police magistrates than are brought.

1578. Do you think that there ought to be any difficulty in detecting and suppressing illicit traffic in drink in Dublin?—I think there may be some difficulty, but that difficulty could be overcome by the means I have suggested, namely—employing special detectives for that purpose. Every difficulty of that kind could be overcome.

1579. Having expressed the opinion that the majority of the Roman Catholic bishops and clergy in Ireland were in favour of this Bill, do you believe that if this Bill became law they would exert their authority to preserve peace and have its provisions duly carried out?—I am sure they would.

1580. You have mentioned that there is a diversity of opinion between the Cardinal Archbishop of the Roman Catholic Church in Dublin and the Roman Catholic Bishop of Down and Connor on the subject of Sunday closing?—I merely stated that three bishops had not given their direct adhesion to this movement; I did not say they had come into collision by any means, but I wished to convey that, although the three bishops alluded to had not joined the movement, they have indirectly supported it, inasmuch as petitions have come in great numbers from those very dioceses; and I do not know of any stronger

Mr. W. Johnston—continued.

proof of the support and sympathy of those three bishops than the one to which I have just alluded, because if they thought that this movement was one calculated to injure their flocks they would be the very first to prevent those petitions being signed.

1581. But you do not think that to support this measure is looked upon as orthodox in Dublin, and heterodox in Belfast?—I do not.

Mr. Sullivan.

1582. Although you have answered the question already, I will ask you again; is it not notorious that the Catholic clergy are a body of all others who would resent any oppression, tyranny, or coercion against their flocks?—I am very certain that they are the body who would take the most immediate steps to pronounce their opinion upon it.

1583. If this measure was likely to be regarded by even the humbler parts of their flocks as hostile class legislation and coercion, do you believe that the Catholic clergy would have been in the forefront of the opposition to this measure?—Most certainly they would.

1584. You are connected, I believe, with Tipperary, and you ought to know it well?—Yes, my happiest days were spent there.

1585. Do you not think that the people of Tipperary are peculiarly a people who would resent class coercion and oppression?—I am very satisfied that there is not a people on the face of the globe who are more sensitive to anything which would in any way restrict or coerce them than the people of Tipperary, and, were restriction threatened, immediately there would come an unmistakable expression of opinion from that county on the subject.

1586. Is it not a fact that Sunday closing has for years been carried out in Tipperary?—It is the fact, and with most beneficial results.

1587. And yet this peculiarly sensitive and strong-minded people have never treated it as coercion or class oppression?—Never.

1588. Although not living in Tipperary, yet having intimate property and other relations with the county, are you aware that from the first day that Sunday closing was carried out in Tipperary to the present hour either the police authorities or the ecclesiastical authorities of that county have ever thought of going back to the old system?—I have not often visited the county since I left it, but I have frequently spoken to clergymen, and to many laymen of that county in Dublin, and their unanimous expression of opinion was in favour of the total closing of public-houses on Sunday, and that they would never think of going back to opening those houses.

1589. May we then take it for granted that, so far as it goes, the experience of years of Sunday closing amongst a warm-tempered and resolute population like that of Tipperary negatives the idea that this is class legislation of an injurious or offensive kind?—Most certainly.

1590. You are, and have been, peculiarly qualified for knowing the opinions of the Catholic clergy of Dublin upon a question like this; is it not a public fact that the Cardinal Archbishop of Dublin is warmly in favour of this Bill?—It is.

1591. Is it not a fact that the late Dean O'Connell



Mr. Sullivan—continued.

O'Connell was one of the vice-presidents, and always spoke at public meetings?—It is a fact; and I may mention that I hardly remember an occasion when the good Dean addressed his congregation that he did not make the strongest appeal to them to abstain from drinking, especially on Sundays, and to attend to their devotional exercises.

1592. Is it not the fact that the publicans themselves on several occasions were appealed to, in the interest of good order in the streets, to close their houses on notable fine days?—It is the fact.

1593. On the occasion of the O'Connell demonstration they were appealed to, to keep their houses closed during the daylight part of the day?—Yes.

1594. And they did so?—They did so; and, as I stated a while ago, to their credit, they made a noble sacrifice of their interests on that day, and they are capable of doing the same again.

1595. During a funeral procession in the city of Dublin within the last 10 days, is it not the case that they were asked by the funeral committee to close, and that they did so?—That is the case; I saw the enormous crowds on that day; I had occasion to visit the north side of the city, and I never saw a more orderly or better conducted body of men than I witnessed on last Sunday week, at the interment of Mr. O'Mahoney's remains.

1596. Did the publicans resent that as an offensive imputation, the application to close their houses with the view of promoting good order and morality?—They did not.

1597. They quite acquiesced in the idea that closing their houses when the people would be out in the streets would conduce to good order and morality?—Yes.

1598. With regard to the detection of illicit trading in drink in the city, and the abjection or hesitancy of the police authorities to employ any but uniformed policemen in putting it down, I would ask you if it was not by the citizens themselves organising civilian detectives that tipping in bad houses was put down in Portobello within the last twelve months?—I believe that is the case.

1599. Did not the inhabitants of the district, the house-owners, finding that they could not induce the police to grapple with the evil, subscribe money and employ civilian detectives themselves, and effectually put down the tipping?—Yes.

1600. With regard to the question asked you by the honourable Member for Cork, he said that drunkards would get drunk, and why, then, inconvenience the moderate men; it is not your experience, I take it, that all people are to be sifted into merely two classes, those who will get drunk anyhow, and what are called the moderates; are there not, in your experience as a magistrate of Dublin, a large class, and the largest class, of those who use public-houses, of young men who would not care a great deal if the houses were not there, but who are lured into them on Sunday?—That is my experience, a large proportion of those who use public-houses are young men, and, as I have stated before, sometimes young women, to the regret of every friend of the country. And as regards the other class, with the exception probably of confirmed drunkards, those who use public-houses would fall in with the general view of maintaining this Bill, and

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seeing that the law was properly complied with. I referred to Father Matthew's crusade. It was the fashion amongst all classes then to abstain, and they did so, and now the same fashion would prevail; because I may say to honourable Members of the Committee, who probably are not so intimately acquainted with the Irish as some others are, that the Irish are accustomed to acts of self-denial, and are prepared to make sacrifices, and have done so upon many occasions, and to them it would not be so great a difficulty to abstain from indulgence as it would be to nations where living was more generous, and where the prohibition of indulgence in drink would be felt to be a great inconvenience.

1601. Then your experience as a magistrate, and a large employer of labour, is decidedly this, that probably the largest class using the public-houses on the Sunday would be rather glad, on the whole, if they were not there; they are not men who would go there in any case, but young men who go in because it is much their habit, and because they are in their path; is not that the case?—It is so.

1602. You have from the outset, as a large employer of labour and a merchant of the city, taken an interest in this question; may I ask, is it not the fact that you have been equally prominent in every endeavour to open to the people gardens, parks, and places of healthful recreation?—I have endeavoured to do a little in that way.

1603. I know that is the case about yourself, but is it not also the fact that most of the gentlemen whom you know to be prominently identified with Sunday closing in Dublin are like yourself, exactly the gentlemen who have always laboured for providing the people with healthful houses and innocent recreation on Sunday?—That is my experience.

Dr. Cameron.

1604. I would ask you whether, upon any occasions, the magistrates or police authorities in Dublin have the power of ordering the public-houses to be closed at hours or days when they are usually open?—I am not aware that they have. The law is that public-houses shall be open during certain hours on Sundays.

1605. What I refer to are occasions when any public disturbance possibly is anticipated; have the police or the magistrates the power of issuing a proclamation that public-houses must be shut?—I cannot answer that question without referring to the law on the subject.

1606. I mean in cases of apprehended riot?—I dare say in cases of riot that could be done.

1607. It would appear to you that they have that power because the Legislature at the time could not have imagined that the shutting of public-houses was conducive to riot?—I believe they have the power.

1608. In the case of that funeral the other day to which you referred, I suppose that there is a great diversity of opinion in Dublin as to the advisability of having such a demonstration?—There is certainly a great diversity of opinion upon that head.

1609. The honourable Member for Cork examined you concerning your opinion as to the tyranny that would be exercised by the majority if they compelled the minority to do without public-houses on Sundays; in the case of that

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funeral, would not similar tyranny be exercised by those who wished a demonstration over those who did care about it, and who preferred the public-house?—With regard to closing the public-houses, I do not think that the masses of the people would consider it as a tyranny.

1610. I am simply asking you whether if such a tyranny were to exist in one case it would not equally exist in the other?—If the stronger party sought to get the upper hand of the other there would then be something like tyranny; but the case you refer to does not bear that interpretation.

1611. In fact there would be no more tyranny than at present exists in the law which compels public-houses to be shut during certain hours on Sunday or after a certain hour at night?—No.

1612. Is there any reason why any of the small townships in the metropolitan district should be exempted from Sunday closing?—I think that to exempt them from Sunday closing would be, as I stated before, to convert each of those districts into something like that which existed 30 years ago at Donnybrook Fair; the excessive drinking population would rush to those districts.

1613. In the case of Kingstown I suppose there is no peculiar circumstance which does not exist, in the case of Bray and elsewhere?—There is nothing peculiar to one that does not apply to all the districts.

Chairman.

1614. Does not it strike you that there is a material difference between the feelings of persons

Chairman—continued.

who are in the habit of frequenting public-houses as to the closing of them on one particular day, such as the day of a funeral or a procession, in order to prevent disorder, and closing them for fifty-two days in the year?—As I stated before, there are some who would regard it as an inconvenience, but I think they are a small minority.

1615. But they, whether they be few or many, might be willing to put up on one occasion with inconvenience for the sake of public order, which they would not at all like if they had to put up with it fifty-two days in the year?—I think they would readily fall in with the general feeling on that subject, and practice the self-denial which I alluded to a while ago, or provide themselves on the Saturday with the refreshments necessary for the Sunday.

Mr. Brax.

1616. I am not quite sure whether I understood aright an answer which you gave to the honourable Member for Leith, that at the time of the O'Connell commemoration the public-houses were closed the whole of the daylight?—From early morning until six o'clock in the evening; that is what I mean by the whole day; it is not accurate to say that 24 hours include the whole day; houses are closed at 11 o'clock at night, and therefore the whole 24 hours do not reckon.

1617. They were opened at six o'clock in the evening?—Yes, until 11 at night.

1618. What time of the year was it?—The 6th of August 1875.

Mr. WILLIAM WOODLOCK, called in; and Examined.

Mr.  
Woodlock.

Chairman.

1619. WHAT office do you hold?—I am one of the Divisional Magistrates of Dublin; what here you would call one of the Police Magistrates.

1620. How long have you held that office?—Since December 1872.

1621. As a Divisional Magistrate of Dublin, what is your authority with reference to the licensing question?—I and my brother justices are the original licensing authority in the cases of wholesale beer dealers, retail beer dealers, and spirit grocers, subject to appeal to the recorder from our decision, on refusing a certificate. We are the sole primary authority in all these cases, both as to the original grant of licenses, and as to their transfers and renewals. With respect to publicans, our duty is merely that of granting a certificate as one of the essentials which a publican requires, in order to get a renewal of his license from the Excise.

1622. So that in one way or other all the licenses come under your notice?—Yes, in one way or other, in different degrees.

1623. Together with your colleagues you transact, do you not, all the police business of the metropolitan police district?—Yes.

1624. Is it your opinion that there is a large amount of drunkenness within the district under your charge?—Certainly.

1625. Taking the cases that are brought before the police courts on Monday mornings, at what time are most of those cases arrested?—My experience as a magistrate certainly leads me to think that the overwhelming majority of cases

Chairman—continued.

of drunkenness in Dublin which come before us upon Monday morning occur upon the Saturday night. If you wish it I could give the Committee a few figures which I took down myself when I was sitting on the bench the last two or three Mondays, which will just give the Committee an idea of the difference. On Monday, 19th February, I find that the cases of drunkenness, and cases of being drunk and disorderly, which came before me, and which arose from 6 p.m. on Saturday until 6 a.m. on Sunday morning (and I look upon that as taking in the real result of Saturday night's drinking, and to be credited therefore to Saturday night), were 49. From 6 a.m. on Sunday until 6 a.m. on Monday morning, the day on which I sat, there were 13. Again, on Monday, 26th February, the cases of drunk and drunk and disorderly from 6 p.m. on the previous Saturday to 6 a.m. on the Sunday, were 45, as against cases numbering, from 6 a.m. on Sunday to 6 a.m. on Monday, 12. On Monday, the 5th March, I have the Saturday cases of drunkenness, 30, as against the Sunday cases of drunkenness, 14. It is only fair, however, to say, at once, that I will not guarantee the literal exactness of these statistics; they were jotted down on the bench as each case came before me, and I totted them up at the end; as to saying that they are absolutely infallible, I could not say that, but they certainly are very nearly accurate.

1626. And do they represent, in your opinion, the general average cases that come before you on Mondays?—I think that is about the general proportion

Chairman—continued.

proportion on my side, which represents half the city.

1627. I take it that the number of arrests for drunkenness that are made between the hours which you have told us of on Saturday night, and very early on Sunday morning, are quite exceptional as compared with any other day in the week?—Very much so.

1628. To what do you attribute that?—Simply to the fact that the working men get their wages on Saturdays, and unfortunately they spend them, and leave themselves, by the time they get to the Wednesday, without a penny in their pocket for themselves or their families; they go and pledge their clothes, and they release them on Saturday with a little of their money, and then they spend the remainder on drink.

1629. Does any remedy occur to you which it would be advisable to adopt?—The Saturday night's drinking is the thing which presses most upon my mind with respect to Dublin; and I confess, apart from this question of Sunday closing, which is another matter, that I would be willing to adopt a very summary and very peremptory system of closing public-houses upon Saturday evenings; I would close them at a very early hour indeed. I speak the opinion at all events of two of my colleagues upon it; I would close them on Sunday evening certainly not later than seven o'clock, and possibly earlier, and I would close them very early on Sunday besides; speaking from my own personal feeling I would close them altogether.

1630. Would not this be a great inconvenience to the public as well as a check to drunkenness?—There was a distinction drawn here the other day which I think was a true one. It would of course be inconvenient, but I think, as Mr. Smith said the other day, that it is to be classed as a thwarting of the inclination rather than as an inconvenience.

1631. Do you think that the excessive drinking on Saturday nights has any effect upon the drinking on Sunday?—It may have, in this way, that a man drinks very heavily on Saturday night; in fact, I know from conversations that I have had, that that is the case; a man drinks very heavily on Saturday night, and to that extent he is scarcely able to get up on Sunday at all, and he goes neither to prayers, nor to church, nor to meeting, but spends his whole day in a state of drunkenness from the effects of the Saturday night's debauch.

1632. Do you mean that he remains in the public-house?—No, he remains at home in the case of very many of them; others no doubt go on the Sunday to get what is vulgarly called a hair of the dog that bit them.

1633. The man who goes home when the public-houses are closed, whatever state he may be in through the Sunday, does not go back to the public-house to obtain drink on the Sunday, do you think?—Sometimes they do.

1634. But not the man who is in that state of torpor that you have described?—No, of course he must stay at home, and very likely in consequence of his staying at home he avoids being arrested upon the Sunday.

1635. Do you think that any persons remain illegally in public-houses, or in other houses after the hours of closing on Saturday night, and continue drinking on Sunday?—Not in the public-houses; at least not to any extent. From

Chairman—continued.

what I know, as a magistrate, the publicans as a body, in the city of Dublin, are on the whole a respectable and law-abiding body of men, and do not keep open their houses before, and they do not keep them open after hours, beyond merely, at the very outside perhaps, ten minutes or a quarter of an hour. The cases are very very few, and very trivial that come before us about breaches of the law on the part of publicans; but there is no doubt that there is a good deal of illicit drinking after hours on Sundays. I mean that they go to what are called beer-houses, and they go to houses which have no licence of any kind at all, and they drink there up to one or two o'clock upon the Sunday morning.

1636. Do you think that illicit drinking of that kind is on the increase?—I cannot say. I rather think it is not on the increase. I think there is a good deal of exaggeration, as it occurs to me, about all this illicit drinking trade. Of course, I speak with a good deal of diffidence. I have only been four years a magistrate, and I cannot contrast the present state of affairs with what went before; but, as well as my memory serves me, you may take it that there has not been any particular increase of illicit drinking.

1637. In the last year or two years renewals of certificates have been refused, have they not, to a good many houses that have previously had them?—Yes, certainly.

1638. Do you think that any large number of those houses have continued the sale of drink illegally?—Yes, I think some have. There was a class of houses in Dublin that were known as wholesale beer-dealers' houses. A wholesale beer-dealer was a person who had a licence enabling him to sell beer or porter in quantities of not less than four-and-a-half gallons, or I think two dozen imperial quarts at a time. The real *modus operandi* of a wholesale beer dealer was this:—He had a wretched room which was his shop, and at the same time the room in which himself and his family pigged as best they could together. He got in a barrel of porter from somewhere on the Saturday night, and he retailed it by the glass or by the pint. That was what was called wholesale beer-dealing. That class came before us in very large numbers at the licensing sessions of 1875 and 1876. I think we have pretty nearly suppressed them, but no doubt several of those wholesale beer-dealers have come before me as a magistrate, as dealers in drink without any licence at all. Still I would not say that the majority do. I think that a great number of them have simply dropped the trade, fallen out of it.

1639. In a Paper which was handed in to the Committee by Captain Talbot, there was a statement showing a very singular increase in the number of convictions for illicit sale during the last three or four years, both in unlicensed and also in licensed beer-houses; does that conflict with your experience?—I cannot speak for what happened before the last three or four years. I can only speak of what has occurred in my time, since 1872.

1640. With regard to the number of persons who are arrested for drunkenness on Sundays, how do they compare with the number arrested on any other day of the week excepting Saturdays?—I think they are less. I think that the number of arrests for drunkenness on Sunday is less than the number of arrests for drunkenness

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on any other day. I am not quite certain, but I think that is so.

1641. To what do you attribute that, as it is a general holiday?—I could not say; I think it is very likely there is a certain amount of reverence for the sanctity of the day which prevents people getting drunk to any great extent. Many of them go to their devotions in the morning and the evening, and naturally enough they do not like to present themselves at church in a state of intoxication, and very likely they keep themselves free. A great number of them go out of town to Kingstown and Bray, and further on in the country; and a great number spent the day in the Phoenix Park or in the Botanic Gardens.

1642. Do you attribute it at all to the fact that the public-houses are opened for a shorter number of hours on Sundays than on the other days in the week?—Of course that has something to do with it. No doubt the public-houses are open a great many hours less, and they do less on Sunday than on any other day.

1643. What is your opinion would be the effect of the application of total closing on Sundays to the metropolitan police district?—I do not think that the total closing of the public-houses on Sunday would have any very marked effect. That is the impression upon my mind. I think that we have a far and away greater evil to grapple with in Dublin, namely, the evil of Saturday night drinking, and therefore I think that the Sunday closing in Dublin would not produce any very marked effect, so far as the matter comes before me as a magistrate. It would do some good, I am sure, but I do not think that it would do the amount of good that I imagine is anticipated, in the country districts for instance.

1644. Do you think it would cause much inconvenience to the people?—I have already said before about that, that if by inconvenience you mean simply that a man cannot have what he has been accustomed to have before, it will cause inconvenience; but I think, as I have said before, that a distinction was drawn here very fairly the other day; it is rather a thwarting of inclination than an inconvenience. If the people want to be inconvenienced, I see no reason why they should not get in their drink on Saturday night, and lay in their stores then. I do not at all agree with those who say that there are not facilities in the Dublin dwellings for storing drink; I am sorry to say that I know very well, as a magistrate, that in the worst and most wretched room conceivable in Dublin they manage somehow to find accommodation for storing drink when it is for illegal purposes, so that I do not see why they should not be able to store it for perfectly legal purposes. Besides, a great many of those people are not in that wretched position; they are respectable tradespeople, and they have a press or box in their room where they could put their half dozen of bottled porter if they wanted, or their pint of whisky if so advised.

1645. Assuming that it is not so much a question of drinking at home as of drinking abroad, you referred to a number of people in Dublin who went out on excursions into the country on Sundays; what, in your opinion, would be the effect in their case?—I think it would cause them some inconvenience, but I would say to them, let them bring out their hamper or their basket with them, and have a picnic. Let them do what I do myself. If I take a country walk, I take my

Chairman—continued.

little store in my pocket; besides, all that is subject to the *bond fide* traveller question, which is a different matter.

1646. Do you think that that would be met by the *bond fide* traveller provision?—As the *bond fide* provision exists at present certainly it would; the *bond fide* provision at present enables a man to get a drink, provided he is three miles from the place where he last slept; which I am bound to say I think is rather a liberal provision for the drinkers; I think that some other definition of who is or who is not a *bond fide* traveller ought to be given than that you should limit it to three miles; I would extend it very much.

1647. Is it not rather the other way, that a man is not a *bond fide* traveller unless he is three miles from the place where he last slept?—Yes; that is what I say is the definition of a man who is not a *bond fide* traveller.

1648. Supposing that total Sunday closing were adopted in Dublin as regards the police district generally, do not you think that there might be a good many *bond fide* travellers in the eye of the publican?—I think there might.

1649. Would there be any real possibility where you have to deal with a low portion of society of that kind, of distinguishing between a *bond fide* traveller, or if I may use the expression, a *maff* *fide* traveller?—I think there would. As the law stands at present under the Act of 1874, a publican is obliged to take some reasonable steps to see that the person whom he serves is a *bond fide* traveller; I think that something in the nature of the production of a railway return ticket, or something of that kind, might very reasonably be required by the publican before he served a particular person; the fact of requiring the person to prove that he is a *bond fide* traveller before he gets drink, at all events, throws some little difficulty in his way; there is no question about that; many a person would be very glad to walk into a public-house if he found it open for him without questions being asked, who would very likely hesitate before he subjected himself to the ordeal of being cross-questioned by the publican as to whether he is a *bond fide* traveller, and rendered himself liable to the possibility of being challenged by a constable, and brought up for being found drinking without a right to do so.

1650. You think that the idea of the public-houses being closed except to *bond fide* travellers would diminish drinking in that way?—Yes, it would have a tendency in that way, certainly.

1651. It has been suggested that, instead of applying the total closing of public-houses on Sunday to Dublin, a shortening of the hours on Sundays should be preferred; what is your view as to that?—Apart from the Saturday night question, which opens up a different consideration, but taking it simply that the question is whether I would prefer the shortening of the hours on Sunday to the total closing of the public-houses on Sunday, my view of the matter is this, that as you have accepted the principle of this measure for the country at large, there are very many objections to exempting a large centre of population, such as Dublin is, from a measure which is meant for the whole country at large; and I would prefer having Dublin brought under the provisions of the proposed Act entirely, to having a mere restriction of the hours provided either for Dublin or for the metropolitan police district,—I do not care which way you take it.

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*Chairman—continued.*

You see, all round Dublin there are a number of small villages, and if you take the whole metropolitan district as being the part that is to be exempt, the people of those villages will naturally flock into Dublin to get drink on Sunday if they know that it is to be had there. Take, for instance, the villages on the north side of the city. The metropolitan district ends with the bridge over the Tolka River at Drumcondra. Just across that bridge is the village of Drumcondra, and in that village of Drumcondra, if my memory serves me rightly, there is a public-house. I think, in the first place, that the owner of that public-house would feel himself aggrieved if he found that his house was shut up when another house on the Drumcondra Hill side of the Tolka was doing business as hard as it could. And I think that the inhabitants of the village of Drumcondra would be strongly tempted to step across the Tolka Bridge and get to Drumcondra Hill into the public-houses that are there. Taking all the neighbourhood that runs down along the Tolka, passing by Fairview and Richmond, and that part of the world on the Clontarf-road, the inhabitants would find their own public-houses shut, but they would have only to walk across Ballybough Bridge to find public-houses on Summer Hill; and I think that both the publicans and the inhabitants of Fairview and that district would fare badly in consequence of that arrangement. The publican would be discontented, and the ordinary inhabitants of the district would be tempted to go there and get drink.

1632. That is your reason, if I understand, for thinking that a law which is adopted for the rest of the country should also be adopted for Dublin?—Very much so.

1633. Out of the number of arrests for drunkenness which you have told us of, are most of them made in Dublin itself or in the district generally?—Mostly in Dublin itself.

1634. Do you think that the drunkenness on Sundays to which you have referred, mostly exists within the municipal limits of Dublin, or outside?—I think within the municipal limits, certainly. The figures that I gave represent the cases that came before me. I acted as magistrate, and I have jurisdiction all over the district, but as a practical matter I only sit and act for the southern side of the city proper.

1635. Of course, I suppose that the drinking on Sundays, besides the drunkenness, is far greater within the municipal limits of Dublin than outside it?—I should say so. From my experience, sitting at Kingstown for instance, I would say that the amount of drinking in Dublin was very far greater than in the surrounding district proportionately.

1636. Therefore, would it not be a greater interference with the habits of the people, whether they are right or whether they are wrong, to close the public-houses totally on Sundays within the municipal limit of Dublin than outside it?—Certainly; it would be a greater interference with their habits. I have no doubt about that.

1637. Does it occur to you that there is any danger of an increase of drinking in illicit houses, having regard to that greater interference?—I suppose there will be an increase of illicit drinking; but on the whole, I think that the dread of that is somewhat exaggerated. You must recollect that the class of persons who go into the

*Chairman—continued.*

public-houses of Dublin on Sunday are to a great extent respectable artisans and respectable tradespeople, men earning from 30s. to 3*l.* a week, who bring with them their wives (and I think that that is a habit which has been growing far and away too much in Dublin) and their daughters also. Now the public-house is comparatively a respectable place, but I do not think that anyone who has not sat for a while in a police court exactly understands what an illicit house in Dublin is. In the first place a very large number of these that have come within my experience are simply brothels, consisting of one room; no doubt, or two rooms, but still used for that purpose; and the illicit drinking, although it is very bad, is still only a secondary consideration I may say. There may be other houses which are not quite so bad as those; still, they are houses generally in a very obscure and filthy locality. The houses themselves are of the most squalid description. When I say houses, it is really rather a room that is occupied as an illicit drinking place, than a house. As I have said, it is in the most obscure and filthy neighbourhoods, the room is dirty, the whole place is utterly disreputable, and I think that a respectable artisan who will not hesitate about going into a public-house itself, and possibly even is led to excess in the public-house, notwithstanding his respectability, and who will not hesitate about bringing his wife and daughter there, still will hesitate very much indeed before he either goes himself, or brings those belonging to him, into the class of places that I have described. Then with respect to the labouring classes, my belief is, that as many of them go at present into illicit houses as ever will go. I do not think that there would be any very great increase with respect to them; they flock into the illicit houses, as it is, after the closing hour, and it will be very much more difficult for them to get into those houses in the broad daylight, than it is during the small hours of the morning, or during the night hours. They will be better watched, and there will be more opportunities for the police seeing what they are doing.

1638. I suppose it is probable that they will flock there more, if they cannot get drink anywhere else?—They will flock there, but I think it would be possible, as all events, to check them a great deal. Besides, there is this strong thing as I have said before, that I believe a great deal of the illicit drinking in Dublin is simply in houses of ill-fame, or in rooms that are used as houses of ill-fame. A respectable artisan will not go there, nor a respectable labourer either.

1639. So far as a respectable artisan is concerned, therefore, in your opinion he would not be able to get any drink at all, except at home?—No.

1640. So far as the lower classes are concerned, if they could not abstain from drinking, they would get drink at those places which you have described?—Yes, but I think they will find considerable difficulty in getting into them.

1641. How would you check that sort of illicit drinking?—I see no other way of doing it than by the means that are employed at present, by letting the police exercise the powers that they have, and strengthening the hands of the magistrates perhaps somewhat when the cases are brought before them. For instance, as the law stands at present, practically illicit drinking is

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dealt with in Dublin under the 3rd section of the Act of the 17 & 18 Vict. c. 89; the Act of 1854, which provides for the offence which is called keeping for sale, the comparatively small penalty of 40s., or one month's imprisonment. I do not know by what oversight it was that the offence of keeping for sale was omitted from the third section of the Act of 1872, which provides for selling and for exposing for sale, both of them being offences which are comparatively difficult to be proved, whereas the offence of keeping for sale is one comparatively easy of proof, and therefore the majority of prosecutions are brought under that. For that offence I would suggest, therefore, that the third section of the Act of 1872 should be amended, by enacting that it should apply to cases of keeping for sale, which would enable the magistrate to inflict a very much heavier money penalty in cases which they do not think ought to be met by absolute imprisonment.

1662. You think, then, that the money penalty which the magistrates at present are enabled to inflict for keeping for sale is insufficient?—I certainly think so; although the money penalty is really a severe one upon many of those people. It is all very well to say that many of them laughed at the idea of paying 40s., but I confess that I have seen a great many persons brought before me for this offence of keeping for sale, to whom I am sure 40s. was a matter of very serious consideration.

1663. Have you inflicted in any cases imprisonment without the option of a fine?—I have.

1664. With good effect do you think?—I cannot say. I do not think that it has had any effect; to my mind it would rather appear that that particular class of offence (I speak with diffidence, and am speaking merely my own private opinion about it) is one which perhaps, on the whole, is better dealt with by a month in money than by imprisonment. I think the great thing to be aimed at is to try and stop the profits of the business. A great many persons who carry on that business also, it must be recollected, are persons to whom imprisonment is a trifle. They are persons belonging to the criminal class, you may say, and a great number of them do not mind a fortnight's imprisonment; they go to work again as soon as they come out. Another thing, too, about the matter is this, that in very many instances, although the husband is nominally the offender, and is the person who is summoned before us, still the business is really carried on by the wife, and his being in goal does not stop the business at all.

1665. Supposing that shorter hours, instead of total closing, were adopted, with regard to public-houses, what would you think should be done in the case of spirit grocers and those licensed to sell beer, either wholesale or retail, only off the premises?—I would close them altogether. I do not see why they should carry on their business on Sundays any more than a baker, or a butcher, or a butcher.

1666. At present, they are open from two to nine, are they not?—Many of them; but I am bound to say, with respect to the spirit grocers in particular, that that class of traders have an association of their own, and it has been repeatedly urged upon me, in cases before me, at the police court, that the defendant belongs to that association, and that one of the primary rules of the

Chairman—continued.

association is that they should not open at all upon Sunday. I believe that a great number of spirit grocers do not open on Sunday. Although they do, without the slightest scruple, a good deal of illegal trade upon other days of the week, they do not open on Sunday at all.

1667. You think, as a matter of fact, that, at present, less illegal trade is done on Sundays by spirit grocers, and beer retailers, and wholesale beer retailers, than on other days in the week?—You are now speaking of the whole trade taken together. With respect to the spirit grocers, I went through our books from the 1st of August 1876 until the 22nd of February last, and I found that in the Southern Court, the one in which two magistrates, Mr. Barton and myself, generally sit, we heard during that time 82 summonses against spirit grocers.

1668. What were the cases for?—Chiefly for consumption upon the premises, and there were convictions, that is to say, there were fines inflicted in 57 of those cases, as I make it out. Out of that number of cases I find that, as against the spirit grocers, the number of Sunday offences dealt with in the Southern Court from the 1st of August 1876 to the 22nd of February 1877, in which the cases were proved, appear to have been 27.

1669. That shows a considerable excess of that offence on Sunday, compared with other days in the week?—Yes, there are a great number of these spirit grocers that do not belong to the association. I am speaking of what I know, that it was repeatedly urged before me as a reason for mitigating the punishment, that the spirit grocer in question did not open upon Sundays at all, and was a member of the association that I speak of, who did not open at all on Sundays.

1670. You refer, do you, to the cases that were brought before you on week days?—I refer to the number of summonses by the police against the spirit grocers.

1671. If a spirit grocer were summoned before you for a breach of the law on Sundays, it would be rather an aggravation of his offence his belonging to an association that forbade it?—Yes; I say that I find 27 cases in which offences were proved to have been committed by them on Sunday; that is all that I can say about it.

Mr. Mellor.

1672. I understand now that what you have been saying with respect to members of the association applies to cases prosecuted on week-days?—Yes; that was put as a mitigation of punishment.

Chairman.

1673. If the public-houses and spirit grocers were all closed on Sundays, might not that class of offence largely increase?—Yes, it might; but it is to be prevented.

1674. A spirit grocer is able to sell as little as a glass of whisky at a time, is he not?—He is. I am not aware whether he has got any restriction as to the amount he is to sell; I believe that some such restriction does exist in London, but I am not aware of any such restriction in Dublin.

1675. It is not very easy to secure that a person who buys a glass of whisky will take it away and consume it off the premises?—It is not very easy I suppose to secure that.

1676. Do you think that it might be necessary to make any amendment of the law, with regard

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to spirit grocers, to check that drabbing?—I think it would be a good thing to prevent it. The thing has never been suggested to me before, but I think it would be a good thing to prevent the spirit grocer selling very small quantities: to make it, for example, illegal for a spirit grocer to sell less than something like a pint at a time; I think that might be useful, but it would require a great deal of thought.

1677. You have not fully considered it?—I have not; besides it is a matter which would require a great deal of amendment of the law. It is not a thing which could be done by merely adding a section to an Act of Parliament; there are many Acts which would have to be looked into and considered about it.

1678. Have you any suggestion to make with regard to the excise question in order to accommodate excise-licensists, who might not be sufficiently accommodated by the *bona fide* traveller question?—That is a matter which my brother magistrates and myself considered, and it was suggested by one of our number, and assented to, I should say, by all of us, that it would be a matter which would be best dealt with in Dublin, by giving authority to the commissioner of police, similar to what he already has, with respect to houses in the neighbourhood of the markets, namely, to exempt particular houses, in the neighbourhood, especially, of railway stations, from the general operation of the law, and let them have the privilege of supplying excise-licensists only.

1679. Do you mean that you would allow such houses only to supply *bona fide* travellers, and close all other houses entirely?—Yes, and let that power of giving exemption be vested in the hands of the commissioner of police, who must have a great deal of knowledge about matters of that kind. The privilege would be very highly valued, and most probably the publican who possessed that privilege, being aware of the value of it, would take very good care to supply none but really *bona fide* travellers.

1680. Do you think that, looking at the great value of the privilege to the publicans, the public would be content to leave the exercise of such a power in the hands of the commissioner of police?—I think they would; after all they are perfectly content to leave the power of exemption in the case of public-houses in the neighbourhoods of markets in the hands of the commissioner of police. They have never said anything about it. Another thing that I am bound to say too is this: it would seem to me to be a very good idea to adopt a rule that they appear to have in Scotland, as I have gathered from the course of examinations in this Committee, to allow none but inns, places where meat is supplied as well as drink, to be open even for *bona fide* travellers. That seems, as I gathered from some gentleman who was here the other day, to be the rule in Scotland, and I do not see why it should not be the rule in Ireland, that hotels should have a privilege of that sort; and then there would spring up a class of small inns that would accommodate the poorer people. I think it would be a very great matter that persons should have an opportunity of getting something to eat while they are drinking; I think that would save a great deal of drunkenness.

1681. What would be your precise definition of such a person to whom you would give that privilege?—I am not prepared to give it; the

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suggestion struck me here the other day, and it seemed to me a good one; I suppose the Scotch law would furnish a definition.

1682. Probably you are not aware that there are a separate class of licenses for them in Scotland altogether?—Then we might have that separate class of licenses in Ireland.

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1683. If I understand you, you would not propose that any addition should be made to the magistrates' power of imprisoning for illicit sale?—No, I think that what we have is enough; I would rather increase the power of fining; that is my own private view about it.

1684. You attribute the greater part of the evil consequences of intemperance in Dublin to the drinking on Saturday night?—We have very many more cases of drunkenness on Saturday night than on any other day of the week.

1685. Do you think, taking Sunday only, that closing the public-houses on Sunday, so as to prevent a continuance of the drinking that began on the Saturday night, and interrupting it, would have any sensible effect in diminishing the evils of intemperance?—I have said already that in my view the closing of the public-houses on Sunday might have a good effect, but I do not think that it would have such a very good effect as is expected; that is all I meant to say.

1686. Does not this take place to a large extent amongst the wage-earning class in Dublin, that getting their wages on Saturday night, they begin to drink, and having drunk a certain quantity on Saturday night they go on drinking on Sunday, and sometimes do not return to their work even on Monday?—Yes.

1687. Would not any interruption as to prevent persons getting drunk on Sunday, save them, to a great extent, from the consequences of drink?—I should think it would.

1688. What is the drink of the working people in Dublin chiefly?—Judging from what I see I think they drink everything. They drink porter, they drink whisky, they drink port wine, and they drink cherry, and Madeira, or what is called such. I have had all these things before me. I imagine that the two general drinks are porter and whisky.

1689. Is it bottled porter?—I do not know. In the cases of illicit drinking that we have the drink that is seized is almost invariably in bottle.

1690. I ask you the question with regard to one of your answers, that you did not see any great difficulty that the people would have in supplying themselves with drink by storing a few bottles of porter or a bottle of whisky on Saturday if they wanted it?—Yes, I do not see that there is any great difficulty.

1691. With respect to spirit grocers, if there is a generally known association of spirit grocers which seeks to bind its members to close their houses altogether on Sunday, I presume carrying it out in that way would not be looked upon as a very serious interference with the trade?—Amongst the members of that association I should think not, when they themselves have voluntarily adopted that rule.

1692. I suppose the society includes the more respectable of the trade?—Yes, I suppose so, but I know it includes a great number who break the law so far as allowing consumption on the premises is concerned. However, that is not looked upon by them as any breach of respectability.

1693. What

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1693. What would be your view as to the probability of any disorder arising from the closing of the public-houses in Dublin on Sunday?—I do not anticipate any. I mean that I do not anticipate any serious disorder. I think an Irishman will riot if he has drink, but I do not think he will riot for the sake of drink.

1694. You would not apprehend that danger?—No.

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1695. Have you been able to form an opinion as to what class generally the drunkards belong to that are brought before you?—I have every class of persons brought before me, from officers of the army down to coalporters or worse. They are chiefly, no doubt, the labouring and artisan class; but I have had every class of person.

1696. In the enumeration of the instances that you gave us of those that were brought before you for Sunday drinking, are there any respectable persons amongst them; I mean, generally speaking, are they of the better class?—There are exceptions, but they are, generally speaking, artisans and labourers, and their wives.

1697. Has it ever struck you, or come under your observation, or have you ever made any observation upon the subject as to whether, in those cases that are brought before you, the same individuals frequently come up?—Yes, certainly they do.

1698. And do the individual cases that come up form a fair element in the numbers that come up?—No; if you mean that say a thousand cases of drunkenness ought to be really read as 800 individuals, if that is what you mean, I do not think it is so large as that. Of course the same person does come before me continually.

1699. I would not say that in 1,000 cases, 800 should be said as individuals, but supposing you took 1,000 cases of drunkenness, would a very considerable proportion of them be individuals?—Yes, there are a good many; I am bound to say, so far as I can see, that the persons who come before me over and over again, are chiefly unfortunate women of the streets.

1700. Looking at what has occurred before you, are you prepared to say that, as a class, the respectable portion of tradesmen and labourers are not individually brought before you repeatedly?—The impression on my mind is that they are not, but I would not be positive. There is a provision in the Act of 1872, for inflicting severe penalties in cases of reiterated drunkenness. For the simple offence of drunkenness, the first offence we can fine 10s.; if that is repeated within twelve months, the fine can be increased to 20s.; if that is repeated three times within 12 months the fine can be increased to 40s., but then, of course, previous convictions must in every case be proved. A man will get drunk, we will say, in a district belonging to one police station, we will say the Newmarket station, and he will be brought before the magistrate and fined, and it is quite possible that the same man may get drunk a second and a third time, but in different police districts; for instance in the district, we will say, belonging to the College Green station, and in the district belonging to the Chancery-lane station where he is not known, and the police therefore would not have an opportunity of putting the charge of reiterated drunkenness on the sheet against him. They do not know who he is, and they would not be able to prove the offence. It is quite possible that

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many persons have been fined for drunkenness for the first time only, who have been really either before me or before the other magistrates often before. We have cases that I know as well as possible to be repeated drunkards, men who are habitual drunkards and women who are habitual drunkards. Of course one comes to know them just as well as one comes to know any acquaintance.

1701. You have almost anticipated the question that I was going to ask you; are not those cases that come before you of the working classes in great part made up of what you may call habitual drunkards; that is to say, there is a fair element of habitual drunkards, is there not, amongst the cases that come before you?—I may say that there are a great number of persons brought before us who have been before us previously.

1702. You stated that the publicans as a body were a most respectable body?—Yes, I think so; and I base that upon my knowledge as a magistrate; the offences proved against them are very few. Then their appearance when they come into court to take their trial, or whenever you choose to call it, is that of respectable men.

1703. I suppose it naturally follows from that that the greater amount of cases brought before you, and the greater number of convictions against parties for drunkenness, do not take place on the premises of respectable publicans?—I do not know how that is. A man may drink a very great deal on the premises and be to all appearances perfectly sober as long as he is in doors, but when he gets out the fresh air may have an effect upon him. I cannot say where he comes from.

1704. Does not it often occur that in proving the offence the locus in quo is mentioned?—Yes. A man is nearly always arrested in the street; he can be arrested in licensed premises now, but cases of such arrests are rare.

1705. Have you any means of forming an opinion as to whether the cases brought before you arise from drinking in illicit premises, or in spirit grocers' premises who do not obey the law, rather than in the premises of publicans?—There is only one answer to that. As the greatest facilities for obtaining drink that is to be consumed on the premises are to be obtained at the publicans', the natural presumption is that at least during the hours whilst the public-houses are open, the greatest number of persons who are arrested are persons who have got drunk in a public-house. I do not say that the drunkenness has shown itself in the public-house, but they have got drunk there, and when they come out it takes its effect upon them.

1706. Might not that occur just the same, whether in beerhouses or in illicit houses?—Certainly it might, but I say that during the open hours it is most likely to occur from drinking in the public-house.

1707. Have you any materials for forming an opinion as to whether the cases of drunkenness brought before you do occur within the open hours or occur within the illicit hours?—Certainly.

1708. Do they occur rather at night than at day?—They occur rather at night than in the day; the great majority of them occur, I should say, before the closing hours, that is to say, from 9 to 11. The police sheet that is laid before us, the charge sheet, contains the exact particulars of every offence; it states the place where the

man



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man was arrested and the hour at which he was arrested.

1709. You will bear in mind that I am confining my question to Sundays?—I did not understand so; I thought you were speaking generally of the police business; I misapprehended your question.

1710. Will you be good enough to give us your opinion as to whether the greater number of cases brought before you arising from Sunday drinking occur at respectable public-houses, or rather occur at illicit houses, or beer-shops or spirit grocers, which are licensed not to sell for consumption on the premises; or have you any means of forming an opinion upon that?—The only means that I have of forming an opinion is from the hours that are mentioned on the police sheet; I am trying to recollect about it; I would be inclined to say that the greater number of arrests on Sunday nights take place after 9 o'clock, that is to say, after the hour at which the public-house closes; no doubt about it, but at the same time a man may have got drunk in a public-house; the arrests generally range from about 9 o'clock up to 11 and 12, and then they diminish until 3 or 4 o'clock in the morning; of course if an arrest is made at 1 o'clock on Monday morning the person who is arrested must have got his drink somewhere else than in the public-house.

1711. Therefore, looking at this question, the Bill before the House, no one intended to repress interference on Sundays, do you, or do you not, believe that paying attention to those houses that sell illicitly would be a better mode of endeavouring to check that interference than closing the public-house on Sunday generally?—No, I do not. After all, the place where the man gets drunk is the public-house in the vast majority of cases, I am sure.

1712. I thought you said that a very great number of arrests took place after nine o'clock?—Yes, that may be quite true about the drunkenness, but the people get drunk, and a great deal of drink, in the public-houses, and a man may get plenty of drink, and too much drink, and yet be able to walk home without being arrested.

1713. If the arrests take place at hours varying from 9 o'clock till 1 o'clock on Monday morning, is it not a natural presumption that those arrests take place in consequence of drink supplied within those hours, and not at hours ranging from 2 o'clock in the day up to 9 o'clock?—But those arrests are very few, after all, on Sunday.

1714. You have had but 12 before you for drunkenness on Sunday?—Yes.

1715. Out of those twelve is the whole of your division, which comprises half of Dublin, if a certain number of those cases that are arrested between 9 o'clock at night and 1 o'clock in the morning, is it not the natural presumption that they arise from drinking in places other than in the public-house?—Yes; it may arise at the houses of private friends, or it may arise at fifty places.

1716. I would wish to ask you this question; do you, or do you not, think that paying more attention to the repression of the sale in the illicit houses would be likely to have a more beneficial effect than repressing interference (I do not speak of moderate drinking) than closing public-houses for the whole of Sunday?—I do not.

1717. Do you think that if the illicit houses and spirit grocers who sell against their license on Sunday were repressed altogether, it would have a beneficial effect?—Of course it would

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have a beneficial effect if you can do it. No doubt anything on earth that will repress drinking will have a beneficial effect.

1718. If you find that the greater amount of drinking and drunkenness takes place as it naturally would in those illicit houses, does not that lead to the natural inference that their repression would stop it?—If you can repress them altogether, yes, but I do not think that you ever can.

1719. Did I understand you to say that there is an association of spirit grocers in Dublin for the closing of their houses on Sunday?—No, not for closing their houses on Sunday; there is an association of spirit grocers, as I am informed, for general trade purposes, and one of the articles and rules of that association is that no member shall open on Sunday.

1720. Is that association for repressing trading on Sunday confined to spirit grocers?—I do not know; that is the spirit grocers' association, and, for aught I know, there may be another association of the same kind amongst the publicans.

1721. The spirit grocers association sell nothing but spirits on Sunday for consumption on the premises?—Yes.

1722. But is it confined to spirits and not to general trading?—No, the spirit grocer is licensed to sell spirits, tea, sugar, coffee, and a variety of things.

1723. On Sunday?—On any day.

1724. On Sunday has he a license to sell tea and sugar?—Yes, he can sell them on Sundays; I am not aware that there is any law against his doing it.

1725. Did you ever hear that in consequence of the spirit grocers being restricted from selling for consumption other than off their premises, they conceive that the publicans or the licensed victuallers have an advantage over them by their ability to sell for consumption on the premises on Sunday?—I think from what I have observed at the licensing sessions and in the cases before me generally, there is a considerable degree of rivalry between the two bodies, the spirit grocers and the publicans, and I think that the spirit grocers, in many instances, conceive themselves to be the aggrieved men as contra-distinguished from the publicans, and to a certain extent there is this to be said about them, that the spirit grocer has to pay, I believe, a heavier license duty than the publican has, and the spirit grocer complains of that; but then the spirit grocer forgets that his license includes a license to sell tea, coffee, and so forth.

1726. That being the case do you not think it is natural to suppose that the spirit grocer would have no objection whatever to close his premises on Sunday?—He ought not, as a rule.

1727. Provided that the publican was obliged to close his?—If the two men are both doing their business legitimately; if the spirit grocer is acting up to his license, and doing his business legitimately, there ought to be no sort of question about him at all. He is an ordinary trader pursuing a perfectly legitimate family trade, and there is no public nuisance in his business.

1728. That is the theory of it?—Yes, precisely so.

1729. But do you not suppose that the spirit grocer who has no license to sell for consumption except off his premises, naturally feels that the publican who is licensed to sell for consumption on his premises side by side has an advantage over him in that respect; do you not think it would be human nature for him to say, if I am restricted from

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from selling for consumption off the premises I would also like the publican to be restricted from doing the same thing; I have no objection to close provided the publican is obliged to close, but we should be put under the same rule?—I dare say that something of that kind does pass through the spirit grocer's mind.

1730. Do you think in forming that opinion that that feeling would account for what we have been told has taken place, that a great many spirit grocers have signed and undertaken or expressed a desire or willingness to close their houses on Sundays altogether?—I suppose it would; I think it is human nature that it would.

Mr. Meldon.

1731. Under the Act of 1874 the police authorities have got power, have they not, to grant exemption orders for the convenience of a large number of persons attending fairs and markets; does not that exemption order throw upon the owner the onus of seeing that he does not supply persons other than the class for whom the exemption order is granted?—That I cannot tell you; I have never seen one of those exemption orders; I only know that such a thing exists, but it has never come before me practically in court. A north-side magistrate would be better able to give you information about that than I would, for the reason that the great markets in Dublin are upon the north side.

1732. Have you heard that those exemption orders have, in fact, been withdrawn in consequence of traders supplying a class of persons not intended to be supplied by them, as, for instance, in the neighbourhood of Smithfield, houses that had exemption orders have been closed in consequence of their supplying painters with drink?—I cannot answer that question.

1733. I understand you to say that you think that total closing in Dublin would not produce the great effects that are anticipated?—What I have said all through is, that the great evil that we have to grapple with in Dublin in the way of drunkenness is the Saturday night beyond a doubt, and it cannot be too strongly repeated that when you have passed this Sunday closing law, including Dublin, you have still done very little until you close on Saturday night. You have done a good thing so far, but you have done very little.

1734. Do you agree in the views which have been put forward before the Committee, that a great number of men in Ireland do not take drink for the sake of the drinking, but for the sake of companionship?—Yes; I heard an instance, of all persons in the world, of a strict teetotaler who was in the habit of enticing persons into a public-house and treating them there, merely for the sake of having a chat with them and discussing political matters, he never taking a drop himself.

1735. I need not ask you that on Sunday people being idle are much more inclined to be companionable and sociable than they would be on other days?—Yes, certainly.

1736. Do not you think that the closing of public-houses would prevent people drinking merely for the sake of companionship, and in that way would have a very beneficial result?—Certainly. I always said, and have no hesitation in saying, that the effect would be beneficial, but I do not think it would do the great good that many gentlemen interested in this movement

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seem to anticipate; but it will do good I have no doubt whatever, and do great good, which will not be counterbalanced by any evil on the other side.

1737. Assuming that the principle of the Bill is to be extended to all Ireland, excepting five large towns, do not you think that the effect of it in Dublin would be to prevent a large number of people, who now go to the country, from going out of Dublin, and keep them there during the day?—I have scarcely thought about that; but I may say that I think, apart from all these matters of detail, if you except four or five large centres of population in Ireland from this measure, speaking my own opinion merely, the moral effect of so doing in cramping and crippling the measure will be enormous. You take away half the manhood from it.

1738. Assuming the principle to apply to the rest of Ireland, in your opinion is not Sunday closing more important in those great centres of population than in any other part of the country?—That is a very different matter. I have told you before that my experience as a magistrate leads me to say that in Dublin we have not the terrible drunkenness on Sunday that we have on Saturday night, and therefore I think it would be going too far to say that we want a Sunday Closing Act more in Dublin than they do in the country. I cannot say that.

1739. You gave me some statistics of the number of cases before you for drunkenness. I did not catch the hours during which the arrests were made on Sunday; will you kindly mention them again?—I have taken two days in this way. I have taken the Saturday drunkenness which occurs from six on Saturday (or, perhaps, more correctly speaking, from the rising of our courts on Saturday, which is four o'clock), but from 6 p.m. on Saturday to 6 a.m. on Sunday, I call Saturday night drunkenness, and from 6 a.m. on Sunday to 6 a.m. on Monday, I call Sunday drunkenness; it is on that basis that I have made out the figures that I have given the Committee.

1740. Is it not a fact that, owing to a large number of people going out of Dublin on Sunday, owing to the short hours, the number of cases of drunkenness would be much less, necessarily, on Sundays than on any other days, owing to the short hours and the large number of people who go to Kingstown, Bray, and other places?—No doubt.

1741. In fact at the present time there are less drinkers in Dublin on Sunday than on ordinary days?—Yes, there are less drinkers, and they have fewer hours to drink in; I had quite forgotten the shorter hours on Sunday when I answered that question; no doubt one main cause of the small number of arrests on Sunday is due to the fact of the hours being considerably shorter.

1742. As to the illicit sale of drink, is it not your opinion that persons who have obtained drink in public-houses and have commenced drinking, when they are turned out would be more likely to go to those houses where they sell illicitly than if they had not tasted drink at all?—I believe that is the case.

1743. So that, in fact, the opening of public-houses on Sunday at all would rather tend to increase the sale or the number of persons who went to those illicit houses for drink?—In that point of view, yes.

Tuesday, 13th March 1877.

MEMBERS PRESENT:

Sir Michael Hicks Beach.  
Mr. Maurice Brooks.  
Mr. Bruen.  
Dr. Cameron.  
Colonel Cole.  
Mr. Ion Hamilton.

Mr. William Johnston.  
Mr. Law.  
Mr. Marten.  
Mr. Murphy.  
Mr. O'Shaughnessy.  
Mr. Sullivan.

THE RIGHT HONOURABLE SIR MICHAEL HICKS BEACH, BART., IN THE CHAIR.

Mr. MICHAEL DWYER, called in; and Examined.

Mr. Law.

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1744. WHAT position do you hold in Dublin?—Secretary to the Licensed Grocers and Vintners' Association in Dublin.

1745. How long have you held that office?—Just six years, since April 1871. Previously I was for many years connected with the public press. I have edited newspapers, and I was engaged generally in public matters for about 25 years previously in Dublin.

1746. You have been connected with the licensed vintners and grocers only for the last six years?—Yes, close on six years.

1747. Can you tell the Committee what is the feeling of the body which you represent upon this question of Sunday closing?—The feeling of the body which I represent is strongly opposed to the Sunday Closing Bill, for a good many reasons. I may mention, first, that though I am bound to state it will do material injury to individuals, that is by no means the chief reason that we are hostile to it. The first reason of course is, as I say, that a great many individuals will be absolutely, I may say, ruined by the passing of such a Bill, and its strict enforcement in Dublin. Next, and a matter perhaps of more public importance is, that the parties whom the licensed victuallers in Dublin supply would be very much inconvenienced by the passing of such a Bill. My own strongest objection to it is, that I believe the passing of the Sunday Closing Bill will so much injure the public-house system that it will endanger, in my opinion, the respectable monopoly and profitable position which the licensed victuallers at present hold in Dublin; that is to say, the public evils resulting from it will be so great that the position of those in possession of this property, what is commonly called their vested interest, would be endangered by it.

1748. Is not that the same as the first reason that you mentioned?—By no means. The injury, for instance, if a man's house is shut up on Sunday and his business stopped, is a private personal injury; and if for good public reasons that is required to be done, it is very easy for the Legislature to compensate that man; but you could give no compensation that would meet the evil I am endeavouring to point out; and

that is, the demoralisation of the persons who use public-houses now which would be very great as I hold. I think if you will refer to the Act under which public-houses are licensed the publicans are virtually responsible for any disorder or demoralisation that could be shown to spring from the public-house system; you will see that their monopoly is entirely dependent, and solely dependent upon that, and we have no right to any such monopoly if the public-house system turned out bad and demoralised the people; and I think that under Sunday closing it would demoralise them.

1749. What precise evils do you apprehend?—I will explain. In the first place I have to consider the effect of the proposed Act upon the licensed victuallers themselves.

1750. With regard to your last answer, you say that the publicans themselves will be demoralised; I want to know exactly in what way?—In this way. You remember how clearly it was proved before this Committee by the Commissioner of Police, by the Recorder, and by Mr. Woodcock the police magistrate, that the licensed victuallers of Dublin were at present a very respectable class of men, and I am satisfied that the passing of a Sunday closing law would to a considerable extent change that state of things.

1751. Do you mean that the respectable men would cease to be respectable?—I think respectable is a misleading word. I say that men who now open public-houses, and conduct their houses well, and those are the only respectable people, as I understand, who act according to the law, which is my idea of what is respectable, that men who do that would be placed in such a position; I do not mean to say that all of them would be in such a position, because a large number of them could afford to shut their houses on Sunday, but I venture to say that there is a very considerable number to whom it makes all the difference whether they will endeavour to obey the law on Sunday, and whether they are prepared to go into the Court of Bankruptcy as their livelihood would depend upon it; that is of course a strong way of putting the point.

1752. The first demoralisation is among the publican interest itself; there is a certain number

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would be led to disavow the law?—Yes, certainly, a very large number; I am sorry to have to think so.

1753. We have now got from you the evil which you apprehend among the publican interest; I mean in the way of demoralisation; will you tell us in what way the proposed measure in your opinion would demoralise the public?—Excuse me, I do not think that I have given you that reason fully, because there are other trades in liquor in Dublin as well as the licensed victuallers; there are the spirit grocers, and there are beer-house keepers. With regard to the spirit grocers, of course some of the most respectable gentlemen in Dublin are spirit grocers, but others simply are spirit grocers in name, and publicans in reality. These persons having no stake whatever in their business, that is to say, having no vested interest, would of course very easily be led as they do at present to trade illicitly; and I think that that would produce a great demoralisation. Will you allow me to point out what that great demoralisation is; of course gentlemen may ask what is the difference between taking a glass of whisky in an unlicensed house and taking it in a licensed house; there is a very great difference if you look into it. The difference is this: it is not the whisky, but simply that the man is doing an illegal act; he is doing it secretly; he is watching the police, and possibly the evil of it may extend even to the police force itself in some indirect way; and in that way in Dublin, through a mere error of the Legislature, you find springing up a class whose business and whose profession it is, and who actually train their young men to watch the police and to evade the law. I think that is about the greatest evil that could occur.

1754. What particular part of the present system is it that you refer to as training young men in this manner?—The system of illicit drinking in spirit grocers' shops, and beerhouse keepers' premises, especially in spirit grocers' shops.

1755. In what way do you find that the law is defective in that particular; you say that under the present system it has been training up people in that way owing to a defect in the law; what is the defect?—As to the defect in the law I should explain it in this way. A serious error was committed 13 years ago, and we are now reaping the fruits of it. That went on year after year unchecked, and the demoralisation has grown up and is growing still, or at least is continuing.

1756. What is the defect in the law which you refer to?—The defect in the law was the section of the Act of 1853, which allowed an additional license to be taken out for the sale of beer by retail in conjunction with the wholesale beer license without giving the magistrates any authority to control or check it; that was the original defect.

1757. You have told us how, in your opinion, the Sunday-closing movement would operate injuriously upon the character of the publicans and the spirit grocers; I suppose that we may put along with those the beer-sellers?—Yes.

1758. Sunday closing would, in your opinion, tempt those traders to break the law?—Yes, and the mode in which they would do it; or, at least, in which the spirit grocers are doing it is this, that they are doing it habitually now during the hours when they ought to be closed.

1759. In what way would it, in your opinion, demoralise the public?—In this way, that

Mr. Law—continued.

I think there can be no greater means of demoralising the public than making unlawful and illicit what they do; for they will not regard it as unlawful, and you put them in the way of habitually violating the law.

1760. Do you mean that it would tempt them also to violate the law?—Yes, undoubtedly, to a large extent.

1761. Then it all comes to this, that you think that a Sunday-closing law would interfere so much with the trade on the one hand, and with the convenience of the public on the other, that it would tempt both the trader and members of the public to break the law; that is what it all comes to?—Yes, and that appears to me to be the greatest evil that could well be produced.

1762. Are the publicans (I use the word publicans in its proper sense of licensed victuallers) unanimous against Sunday closing in Dublin?—I could scarcely answer that question positively; the publicans, those whose business is chiefly that of publicans, are undoubtedly opposed to it. There are some gentlemen who have publicans' licenses who are not opposed to it; for instance, Mr. Kimahan holds a publican's license, and he is not opposed to it, and there are others holding such licenses, who are large merchants, and are not opposed to it.

1763. As a matter of fact, if you found, on a recent occasion when a house to house canvass was made, that there were many publicans opposed to it, were there many publicans in favour of it?—It is impossible to tell. They did not canvass the publicans separately; they canvassed publicans, spirit grocers, and beer dealers.

1764. What were the numbers of those three classes together?—I do not know the exact number.

1765. Has illicit drinking both in unlicensed houses and in the spirit grocers, by drinking on the premises, increased since 1872 in Dublin?—Certainly not, excepting at the hours during which the public-houses are closed.

1766. On the whole, has there been more evasion of the law since 1872 than there was before?—There has been an increase of drinking in unlicensed houses, that is in houses holding no license.

1767. Have you any figures that will show that?—If I may refer to the police returns, I have it.

1768. Are they some of the figures which Mr. Talbot and Mr. Corr gave us?—Yes; I think you already have had the figures, but there is this very remarkable matter which I may point out in connection with them, that since the hours were shortened in 1872 the increase of complaints against public-houses has been very considerable. In 1872 there were only 119 complaints against the public-houses in Dublin; in 1873 there were 348; in 1874 there were 388, and in 1875 there were 358, against public-houses alone.

1769. Would you attribute any part of that increase in the number of complaints to greater vigilance on the part of the police?—I see it stated in the police reports.

1770. What is your own opinion?—My own opinion is that if you put temptation in the way of the bulk of any kind of people, the result will be what I tell you—breaches of the law. I am not now giving an opinion adverse to the shortening the hours in the Act of 1872.

1771. Do

Mr. Lase—continued.

1771. Do you attribute then any part of the increase of those number of offences to the increased vigilance of the police?—I do not.

1772. What would you say are the feelings of the working classes in Dublin upon this question?—I am convinced that the working classes who use public-houses on Sunday are hostile to the Bill. They want to continue to use them.

1773. When you say who use public-houses, do you mean those who use them merely for refreshment, or those who use them for the purpose of getting drunk, or do you include both?—As for the persons who use them for the purpose of getting drunk; that simply means one in 1,000; I mean the other 999 as well as that one.

1774. Has there been any meeting of the working classes in Dublin in opposition to this movement?—Yes, there was a meeting on the 28th February.

1775. Was that the meeting at the Rotunda?—Yes.

1776. Had there been any other meetings of a public nature in Dublin previous to that against the movement?—There had been a preparatory meeting of the trades a few days previously.

1777. Was there any public meeting prior to that of working people opposed to the movement?—I think not.

1778. That was the first, with the exception of the preparatory meeting of the trades, which was a meeting to arrange the public meeting I suppose?—Yes.

1779. Was it a general meeting of the trades, or was it the council of the trades?—The preparatory meeting was called in this way.

1780. Did the preparatory meeting consist of the councils of the trades, or of the body of each trade itself?—It consisted of delegates from the trades bodies.

1781. From the general trades bodies or from the councils?—From the trades unions.

1782. Was it from the councils of each body?—It is impossible for me to say that, but I was present and many of the parties who came there stated that they were delegated to attend on the part of their trades, and others did not.

1783. Could you give the Committee any reason why there has been little public opposition offered to the Sunday-closing movement in Ireland as yet; what is your explanation of it?—My explanation of it is the nature of the question. I myself am interested in the matter, but still no one wishes to come before the public with the name or with the appearance of opposing anything having apparently to some extent a religious character or religious sanction. This measure is very much of that kind; I believe it is in the report of one of the Committees of the House of Commons, put down as an ecclesiastical measure, and neither I or any one else wished, if we can possibly avoid it, to come before the public as opposing anything that might be considered in any respect of a religious character or for the benefit of religion in any way; that is one great reason.

1784. Do you mean by that answer that as a matter of fact the ecclesiastical authorities in Ireland of all denominations are, as a general rule, in favour of it?—I do not think they are, but that is not the reason.

1785. Supposing the clergy are not unanimous upon the question, or practically so, what objection would you or any one else have in 0.59.

Mr. Lase—continued.

coming forward in opposition to the movement?—The objection that it partakes to some extent of a religious character; that is a very strong objection with me personally, and I think with all the persons who would be interested in opposing the measure. With licensed victuallers, with the tradesmen, and with the general body of the population, the mere fact that Sunday is named in the Bill throws a difficulty in the way of opposing it.

1786. Is that the only explanation or theory that you have to account for the absence of any opposition?—That is the chief reason that weighs with the licensed victuallers; but with the bulk of the working classes who would be affected by the Bill, they never take any steps to oppose anything unless they are led by gentlemen of position and influence and eloquence, and all that sort of thing, which leads the masses of the people; they hardly ever move of themselves until something is done to put them into a bad humour, and then they very often move in an uncomfortable way; in a way to injure themselves and others.

Mr. Maurice Brooks.

1787. I think I heard you say that if this Bill were enacted certain individuals amongst the publicans would be ruined?—I did say so.

1788. Why would they be ruined if they be deprived only of one-seventh of their business?—I had in view in saying so such publicans as those who live, let us say, close to the Phoenix Park. It is not one-seventh of their business, but I calculate one-half of their business would be taken from these men; probably more than one-half, and that applies to a considerable number of houses to a greater or less degree.

1789. Are you prepared to say that if the ruin of those individuals tends to the happiness of the greater number, that we should still maintain for their benefit those suburban houses?—Certainly not; you could compensate those persons if Parliament in its wisdom thought proper to take away anything that is theirs, just as a jury would undoubtedly compensate them if it was taken for any public purpose; but it is because they feel very strongly that the passing of the Bill would have a directly contrary effect, and especially the particular feeling that I have about it is this: my own impression honestly arises from this, that I have been endeavouring, in a very humble way no doubt, but still to the best of my ability for the last six years, to improve the character of the licensed trade of Dublin; and I believe that nothing would tend more to entirely throw out of gear all the efforts that are being made for this reformation than the passing of a Sunday Closing Bill for Dublin.

1790. You were asked if certain of the publicans are not themselves in favour of this proposed enactment; can you say if there are any publicans who, closing their own houses, have declared their opinion that if the houses were closed generally evil results will follow?—The only individual instance that I could give is that of the late Alderman Redmond, who closed his own house, and who took a considerable interest in this matter, and frequently spoke to me about it. You know his views, and I believe that I can describe them; he was entirely hostile to a general closing on the grounds that I have endeavoured to explain, the demoralisation that would be certain to spring up from it.

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1791. Do

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1791. Do you know what are the opinions of his sons, who are now proprietors of equally extensive premises; in the first place, do they close their houses?—Yes, they do close their houses; but they are young men, and I have never had an opportunity of speaking to them about it.

1792. Can you give the Committee any information as to the utility of those houses where they vend drink on Sunday, not for consumption on the premises, but for what is called the Sunday dinner beer of the artisan?—Yes; within the first hour of opening (that is, from two o'clock till three) there is a very large consumption of beer, which is carried away in cans for the dinner of the artisans and working men. In point of fact, in many houses they can scarcely meet the demand, there is such a great hurry during that hour, but it is only during that hour. I am not aware that it prevails late in the evening, as it does so much in London, that is, for supper; but certainly during the first hour there is a very active demand, so active that they can scarcely supply it.

1793. That would be for the draught dinner beer?—Yes; but I should mention that this applies in a particular degree to the houses in the districts where the working classes chiefly reside, not to the leading streets, such as Sackville-street; it is not the custom of course for gentlemen to send out for beer on Sundays, or, in fact, any other day.

1794. Your acquaintance with the trade enables you to inform the Committee that a large quantity of beer is bought and taken away in cans and jugs for dinner by the artisans?—Yes, certainly, there is a large sale in Dublin beer in cans at certain hours of the day. That prevails every day, but, I think, much more on Sundays than on any other day; in many districts the beer is sold a trifle cheaper, in consequence of being taken away in that way; instead of being sold at 4d. a quart, it is 3½d., or some trifling difference.

1795. It was suggested that the artisan who used beer on Sunday at home might purchase it in bottles with equal facility; can you say what the cost of bottled beer or porter is as compared with the draught beer?—The beer which is usually bottled is what is called stout, and of course that is a good deal dearer than the ordinary beer, which is the beer or porter taken away in cans, and consumed for dinner; it would be at least double the cost, that is to say, a half-a-pint of beer, which forms a small bottle of beer, or a glass of beer, is twopenny when bottled, and it is a penny when not bottled.

1796. Do you know if the extra penny is the cost of the bottle-washing and breakage?—I have explained that there is also difference in the quality; the double X and the stout, as it is called here, is dearer, and that is what is usually bottled.

1797. But the beer in bottles would be double the cost of draught beer?—Yes, double the cost; the beer in bottle is a stronger beer.

1798. Can you inform the Committee of the feeling of the working classes upon the recommendation that they should drink their whisky at home with their families?—With regard to the feeling of the working classes, I have heard them speak angrily about it. In the first place that a man did not want to be tied to his wife's

Mr. Maurice Brooks—continued.

apron string for that matter, and he does not want to be bringing whisky into his house. I have reason to think that if it was brought in on Saturday night, it would never see the Sunday; it would be consumed at once. But if the Committee would allow me to point it out, a great increase has occurred, which I have the *Irish Revenue Report* to show, in the consumption of ale and porter within the last 10 years, exactly during the time that this Sunday Closing question has been agitated. During that time the consumption of ale and porter has very nearly doubled in Ireland; and during the same 10 years the consumption of these articles has actually diminished in Scotland. Undoubtedly the facility for obtaining whisky will increase the consumption of whisky. It is a good deal a matter of taste. I say that if we are not a porter or ale drinking people in Ireland now, it is because we had whisky very cheap for a long time; and the taste for whisky has remained very much in the country. But lately facilities have been given for getting ale and porter, and consequently, I think, the taste for it has very much increased, and the consumption of it has very nearly doubled within the last 10 years. Therefore it would appear to me that it would be in the wrong direction, for temperance as all events, to close public-houses on Sundays from that fact.

1799. You mentioned, with regard to the sympathy of the working classes in Dublin, that persons refrained on account of the religious element from offering any opposition to the Bill?—That is my opinion. I speak for myself, and it is the greatest possible pain to me to have to come forward in a public meeting, as I did at the Mansion House some time ago, in the face of many of my oldest and best friends, to oppose a matter which they think is for the benefit of the people, especially when it bears to some extent a religious character. I know that that feeling is the strongest feeling in the minds of the great bulk of what are really the respectable licensed victuallers of Dublin.

1800. Can you inform the Committee if, in the City of Dublin, it is not the practice of the advocates of this Bill and of teetotalism generally to describe all those who are of opinion that the public-houses should be kept open only partially on Sundays as odious and irreligious?—I do not think that I could say that the gentlemen who are active movers in the matter use this language, although some persons do occasionally use it. I believe I myself have been described as the devil's advocate, I think it was; but even the devil's advocate at Rome sometimes does a good thing if he prevents some impostor from getting the honours of sainthood. I do not mind that, but I may refer now to a letter which has appeared in the "*Dublin Evening Mail*," if it be worth while, during the last two or three days, in such language as I should be sorry to see used, and I may ask the Committee to contrast it with the very proper language which was used by the working men at that meeting in the Rotunda, which was described in all the papers. Of course the papers go in for a little sensation in their descriptions, and although I was not actually present at the meeting, I was in the building at the time; because I felt a certain responsibility, having been one of those who promoted the meeting, and I felt responsible for the good order so far as it could be secured, and I

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Mr. *Maxwell Brooks*—continued.

was at hand. That meeting was really a very good meeting, and if I had been, as I happen to have been on two or three occasions, assisting the conducting agent for the election of the Member for Dublin, I would have considered that it was one of the finest meetings that could possibly be held. I venture to assure the Committee that on that occasion the most temperate, and I may say loyal, language was used by the presidents and secretaries of the trades who moved and seconded the resolutions. I think it is the first time within my recollection that any allusion to the authorities, especially the Government, as we say in Ireland, was received with applause actually in a meeting held with open doors in the Rotunda of Dublin. I think that is a matter which ought to weigh somewhat in considering the difference between the intemperate language which the honourable Member for Dublin has alluded to, and the feeling of those who are hostile to the Bill, although they are of a different class.

Mr. *Mortex*.

1801. What do you consider the principal beverage of the working classes in Dublin?—I have endeavoured to make inquiries in the houses and in those of the leading streets, I have been informed that the drink is about half-and-half, that is to say, the receipts are about half for whisky and half for porter and ale; but even there porter and ale are only half the price of whisky. But I should mention that in the more populous and poorer districts of the city where price is an element to be considered, the consumption of porter is two or three times greater than that of whisky, and it is chiefly porter.

1802. I suppose whisky is the only spirit consumed?—There is some rum, and some brandy. I am now speaking of the poorer districts, because in the better parts of Dublin there is a good deal of wine and brandy drunk.

1803. I am confining you to the working classes; have you any means of informing the Committee as to the feeling of the working classes with regard to a partial closing of the houses on Sundays; that is to say, supposing they were open from two o'clock to three, or from two o'clock to four; would that be sufficient to meet their wishes?—I think that the working classes, that is, those who use the houses, and want to continue to use them, would consider it a very serious interference with them.

1804. Is the ordinary dinner hour of the working classes on Sundays two o'clock or after two?—I think that the ordinary dinner hour is between two and three with the bulk of them.

1805. What is their ordinary supper hour?—They drink tea usually for supper. I think they do not drink porter for supper.

1806. Then there is not the same call for supper beer as for dinner beer?—No, there is not; but persons go out in the evening, and I think I might mention to the Committee a fact which appears to me very material, although the question has not been put to me, and that is, the condition of the people of Dublin is to be taken very seriously into consideration. Public-houses are chiefly established, as I think, for the use of those who have got no private houses, and two-thirds of the population of Dublin have literally no dwellings, no private houses; they have

0.59.

Mr. *Mortex*—continued.

simply a place to sleep in; and if you consider a man with a wife and children, and perhaps the children a little cross occasionally, you could hardly, surely, take 20,000 or 40,000 people and move them up in that way. What are they to do; they cannot go and sit on the flags in the open street, and yet you shut against them the houses where they really have a very great amount of accommodation in proportion to their circumstances and means. The accommodation that they have in a well-conducted public-house in proportion to their circumstances is as good as gentlemen have in a club.

1807. Do you consider that, so far as temperance is concerned, it would be desirable to encourage the consumption of porter and beer as against the consumption of whisky?—I do; so far, of course, as requirements of health permit; but there are some persons who cannot drink porter at all. I myself am one some years back.

1808. Is there any practical difficulty to consider in preserving beer or porter in a condition fit to be drunk on Sunday if it is bought on Saturday evening?—It will not be fit to be drunk, certainly. This light porter, which is their dinner beer, would be utterly unfit to drink in a few hours.

1809. Do you know of any way in which the working classes, assuming that they purchased, Saturday evening, their draught porter or beer for their Sunday consumption, could practically keep it in a state fit to be palatable on Sunday?—No; it could not be kept, I should say.

1810. They could keep spirits, I suppose?—They could keep it, but I do not think that they would to any great extent.

1811. You spoke of injury to individuals; could you tell the Committee in what locality the principal injury to individuals would arise, if total Sunday closing was carried into effect by law?—There are a good many localities. I first mentioned those in the neighbourhood of the Phoenix Park; probably there would be no greater cases of hardship than those. I think they have very little business on any day except Sunday, or comparatively little business.

1812. During what hours on Sunday do they take most money?—The business there, I think, is general, from two o'clock till nine. Of course the first hour is the most important one in all these places; persons who would be waiting, of course, crowd in during the first hour, and it is the most important hour to the publican in that class of neighbourhood in Dublin, and it continues as long as there is light, or as long as the law will allow. In winter time, I think, in those houses there is much less drinking.

1813. Will you explain to the Committee in what way, as I understand you, you consider that the total closing on Sunday would lead to the injury of the morality of the publicans?—With regard to the publicans, a certain number, I would be afraid to say how many, would undoubtedly habitually try to evade the law.

1814. And that would lead to great and habitual demoralisation?—I think it would tend to great injury to the publicans as a body; the licensed victuallers, as I call them. Then, with regard to those who would be tempted to evade the law, in order to get drink, in the first place you would be obliged to punish them if the law is to be enforced; and I think that the making

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Mr. Marten—continued.

of laws that are not to be enforced is about the worst thing that could be done.

1816. Have you investigated the charges which you say have increased in number during the last four years, so as to ascertain whether or not they are due to offences committed during the close hours or owing to the close hours?—There are no means of investigating them beyond that I have a general knowledge, because, I may say, that any of those persons who are in a respectable position generally come to me when there is any complaint, and I know that, as a general rule, the complaints arise from the increased strictness of the law since 1872, especially in shortening the hours.

1816. Do you attribute that in any degree to the exertions that have been made by persons who are eager for the enforcing of the law by bringing information under the notice of the police?—Certainly, I do not, for this reason, that the increase occurred immediately after 1872, whereas those exertions that have been spoken of only commenced within the past year.

1817. Is your judgment, is it due entirely to the increased strictness of the law?—I am afraid so.

Mr. Ian Hamilton.

1818. You used a rather strong expression in the beginning of your examination, that you considered the licensed victuallers would be ruined when Sunday closing became the law?—Certain individuals I spoke of, I think.

1819. Do you consider that the respectable publicans attach as much importance to the profits derived from Sunday trading that, with a view to ameliorating the moral condition of the people, they would not give up those profits and be satisfied with the week-day profits?—Publicans who, like other people, really would lose nothing by it, would be very willing to give it up, but I think that to persons who have houses which at the present moment would sell for several thousands of pounds in the neighbourhood, say of the Phoenix Park, or of any similar place, where many thousands of persons resort on a Sunday, it would be a very different thing. Giving up with them means giving up everything that they have in the world, but the bulk of the trade probably would, and I am quite sure they would, make as many sacrifices as most people.

1820. Then in the event of this Bill becoming law?—Yes; the closing would be general. Perhaps I might refer for a moment to this. It was only the other day Mr. Alderman McSwiney was questioned about the closing of the houses on a particular day, and it was almost made a point against us that we had closed that day. I should observe that it was a perfectly voluntary act on the part of the trade. He suggested, I thought, that it had been suggested to them from some quarter, but that was not so, and it seems rather hard that what we did for the general good should be brought as an indictment against us.

Mr. Murphy.

1821. Then as I understand you, you are of opinion that if this law came into effect it would lead to demoralisation amongst a great portion of the publicans themselves; I presume you mean by that, that those whose livelihood depends in a great measure on the sale of their articles during Sunday, would be tempted to evade the law?—Yes.

Mr. Murphy—continued.

1822. When you were asked a question about why it was that the masses of the people did not show a greater outward dislike to this measure, I think you referred to the fact that they had no organisation?—Yes, no organisation for such purposes.

1823. Is it your belief that the fact of the large mass of population who use public-houses have not hitherto shown any very great demonstration about this, is by reason of their belief that such a measure would never become law?—Yes, undoubtedly, there was such a general belief in Ireland that this measure would not become law.

1824. And therefore they do not take any trouble in making demonstrations?—No; I think undoubtedly that was one of the reasons. I think the class of persons to whom I refer never do anything until the last moment, and they only show their feeling when they think themselves annoyed or trespassed upon.

1825. Is it your opinion that if there was an organised body with sufficient funds in hand, and skilled in getting up meetings, there would be no difficulty in getting up as many meetings as was thought necessary?—There would be no difficulty whatever, but that would be in my opinion a great public evil.

1826. Would there be any difficulty in doing it?—Not the least, but it would be a very angry and injurious agitation.

1827. You have had sufficient opportunities as I understand for to have been in daily intercourse with the citizens and with the masses of people in Dublin, to be able to give an opinion, generally speaking, as to whether this measure if passed into law would or would not be distasteful to the general mass of the working classes?—I have certainly had as much experience as anyone could well have in connection with the matter both before and since I have become connected with the Licensed Victuallers.

1828. What is your opinion?—My opinion, most decidedly, is that what are called the respectable artisans, or what I would rather call the well disposed, because that is a definite word that I can understand; the well-disposed artisans, those who want to earn their bread honestly and to mind their own business and to bring up their families decently, but who want at times to have some little recreation for themselves, would consider it an exceedingly hostile measure against them, and very unfair and unreasonable.

1829. Bearing in mind that this is a Bill professedly for the purpose of endeavouring to repress intemperance, do you or do you not think that if it passed into a law it would have the effect of repressing intemperance?—I do not think it would, but it would have an influence upon a very important matter that I look to, and the safety of the licensed victuallers' property would be injured by it, because they would be held responsible for the intemperance that might exist.

Mr. Brun.

1830. I think you said that you represent the licensed victuallers only?—Those only.

1831. Do you consider that the interest of the spirit grocers and the beer-dealers is identical with that of the licensed victuallers?—Not at all.

1832. I think you told the Committee that you believed that the beer-dealers and the spirit grocers were rather inclined to promote Sunday closing?



Mr. Brown—continued.

closing?—I will explain that. The respectable spirit grocers are of the same opinion as others of their class in life who would not be affected by it. I do not, in the least, attribute anything to this fact, that they would actually benefit by it, but that is so. That is to say, a man like Mr. Faulkner or Mr. Fawcett, would undoubtedly be benefited in his business by the closing of public-houses on Sunday, but I by no means attribute that to them as a reason for supporting the Bill; I think that persons of the upper class are in favour of letting the humbler classes keep as much out of their way as they can, and not let them come between the wind and their respectability. I do not say that in any way to attribute any improper feeling to them.

1833. Would you explain how the trade interests of the spirit grocers and beer-dealers would be promoted by Sunday closing?—With the first class that I speak of, those who hold a high position as merchants, their business would be to some extent improved, because a good deal of business which is now done on Sunday would be done on Saturday, and would be done in their houses, there being the largest and most respectable establishments, and the business would be to some extent transferred to them, but I guarded myself in saying that I attribute to these gentlemen no selfish motive in the matter at all. But then we come to another class, the class of spirit grocers who sell as publicans, with regard to whom I said they violate the Act of 1833. I found, when I first came to be interested in these matters in 1871, that there were no less than 497 spirit grocers and beer-dealers in Dublin selling as publicans, contrary to the tenour of their licenses. That state of things has since been improved owing to the Act of 1871, an Act which was passed through the influence of Mr. Justice Barry, who was at that time Attorney General, and the Act of 1874, which I regard as the most important and valuable Act of all, and which I think put the public-house system in Ireland in such a condition that, it is my opinion, if you let it alone for a few years and work the Act properly, you will have things in a much more satisfactory condition; but of course I do not expect that anything will ever be let alone. Then besides the respectable grocers there is another and lower section, namely, the grocers who have been tempted by the looseness of the Act of 1833, to get into business, nominally as grocers, but really as publicans, and they have got into that position, and have been increasing from year to year, until, in 1871, there were 169 of them in Dublin; owing to an exemption that was given to them in the Act of 1871, when they were exempted from that, their numbers increased to 122 in 1872. That exemption still continued and increased the number to 204 in 1873, and to 214 in 1874. Since then they have been placed under the jurisdiction of the magistrates, and they cannot now take out their license, or renewals of license, without getting certificates from the magistrates, and the consequence has been that, from 214 in 1874, they have fallen down to 141 in 1875. I have not a more recent return than that.

1834. That is hardly an answer to my question as to how Sunday closing would promote the interests of that class of spirit dealers?—I should have said that almost all that class that I am

dealing with now carry on the trade of publican during the hours when the public-houses are closed, as a rule.

1835. Illicitly?—Yes, in illicit hours. It is doubly illicit; it is illicit for them to carry on such business at all, and it is doubly illicit, because they carry it on during the hours in which it would be unlawful even for a publican to carry it on.

1836. Did I understand you to say that the promotion of their interests would be by reason of their carrying on illicit trade on Sunday?—Certainly; I know it myself individually, for I see on a Sunday instances of it going on. Actually I know one case of a man who signed a Sunday closing petition. I saw men every Sunday last year on my return from men going into one of these houses. I may mention now with regard to some publicans, that it has come to my knowledge that one of those persons said he would do more business if the houses were closed on Sunday than before.

1837. I think you told the Committee just now that you believe that the great majority of the well-doing and respectable artisan class in Dublin were opposed to Sunday closing; how do you account under that view for the enormous number of signatures which were affixed to petitions in favour of Sunday closing, and the papers that were circulated by the house to house canvass in favour of Sunday closing?—Of course I have not seen those papers. I mean that I have not seen the signatures to them, but I know what occurred in my own case, for instance; there was one of these papers sent to myself and one to my office. I happened at the same time to be a member of a committee at another place, and there was a third sent to me there. I should say, however, that I was acting as secretary of that other committee. I know that they were sent about in that way, and I know the value to be put upon them. But I am now speaking of a matter that I am not thoroughly conversant with, because I avoided meddling in anything that I had no right to interfere with.

1838. Are you of opinion that a great difference exists on this matter of the Sunday liquor trade between Dublin and the country parts of Ireland?—There is an immense difference in this way: I consider that in the proposed restriction they are doing an injustice to individuals. And an injustice is an injustice, no matter if it applies only to one individual; but if you multiply that by 50,000 or 60,000, as in Dublin you would at least multiply it by that number; I think it becomes greater in that way.

1839. In your official capacity as connected with the trade, can you inform the Committee whether the trade throughout Ireland is generally opposed to Sunday closing as well as in Dublin?—I think there is a very great amount of opposition to it in the country parts, but that they are much less in a position to give their real opinion about the matter than they are in Dublin.

1840. How is that?—In the case of a person in that business in the country, the ecclesiastical or religious view of it would press upon him much more heavily than it would in Dublin; and besides that, the traders in Dublin are to a certain extent in a more independent position than I think those in the country could be considered to be in consequence of this, that in the country they are more like the Scotch trade, whose renewals and

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licenses are entirely dependent upon the magistrates.

1841. Is there not an essential difference, as regards their dinner beer, in the habits of the working classes in Dublin, and in the country parts?—It is a good many years since I resided for any length of time in the country, and I cannot speak positively with regard to that; I think that they use dinner beer in the small towns. Of course the country people do not send into the towns for their dinner beer.

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1842. Do you think that it would have a very good effect upon the order and sobriety and general morality of the city to close earlier on Saturday; do you agree with all the other witnesses who said that it would?—To a certain extent I would agree with them, but with this very great difference, that I do not see how such a thing could be done. I believe that the essential element of all these things is, that the law should be not only administered impartially, so far as that is possible in Ireland, because it is scarcely possible to administer the law quite impartially in Ireland, and that those persons whom we call the better classes, should submit to the law; but I think that there is a very great difference between, to a certain extent, the upper classes evading the law, and actually passing a law and stereotyping the thing by passing one law for the poor and another for the rich, which you would do if you close the public-houses earlier on Saturday evening, for surely you are not going to send the whole population of Dublin to bed at eight or nine o'clock on Saturday evening, and shut up the theatres, and so on.

1843. When you speak of the upper classes not obeying the law for early closing on Saturdays, do you mean the upper class of publicans?—Certainly not.

1844. How could people who are not publicans and in the upper classes, be called upon to close their houses. I am talking of closing public-houses on a Saturday, and you speak of the upper classes not closing their houses?—I do not say not closing their own houses, but not being satisfied with having the licensed houses they use closed.

1845. Then you do not give me any answer to my question; you misapprehend me. I want to know, now, whether you agree with the suggestions which have been made to this Committee by other witnesses who have been averse to Sunday closing; and do you agree with the suggestion in the question of the honourable Member for Cork, who suggested that we should begin with Saturday closing; do you agree that it would be better to take some of the hours off Saturday, and would the trade consider that preferable?—I consider that that would be a very much less injustice to the working classes, and very much more benefit to them; but I think that there are other considerations which make it almost impossible to carry it out, or at least make it exceedingly difficult. I mentioned that I think impartiality in the law, and in the administration of the law, is the first point.

1846. Bearing all these things in mind, do you, speaking for the body whom you represent in Dublin, tell us that that body concurs with the suggestion which the honourable Member for Cork has made, that earlier closing on

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Saturday would be a good thing if carried out?—I cannot say that.

1847. You cannot tell us whether the body whom you represent are at all favourable to the view of closing earlier on Saturday?—I can say this much for them, that if the intemperance and if the excess of drinking which undoubtedly do exist much more on Saturday nights than at any other time, can be put a stop to by any reasonable sacrifice on their part, I think I could almost undertake for them that they would be willing to consent to that sacrifice.

1848. If it be so, would they consent to Sunday closing if it would have that effect?—I consider that the Sunday closing stands in quite a different position.

1849. Suppose that Sunday closing were regarded as having that effect, would they not consent to that as well as earlier closing on Saturday?—The difference is very great if you look at it.

1850. I know that, but I want to know this: first of all you say that if it were sure to put a stop to excessive drinking, and if it would have a large effect upon sobriety, they would sacrifice their Saturday evening; and I ask you, coming afterwards to a practical thing, if it were proved that the same ends would be secured by Sunday closing, they would hesitate to make the sacrifice involved by Sunday closing?—That is quite different, if you will allow me so to explain. If I had to answer your question Yes or No, it might be both Yes and No; but the difference is this; as every one admits, and I think many persons even engaged in the trade (who, after all, are not so callous to the evils that exist in connection with it as may be supposed) know that there is an immense deal of waste of wages and consequent misery caused by the excess of drinking on Saturday night, but no such thing can be said with regard to Sunday; at least it may be said, but we do not believe that it exists to the same extent, or anything like the same extent, with regard to Sunday.

1851. I think you will say that you have not exactly met the point of my question. Supposing, in a general way, that they are of opinion that no such thing exists on Sunday, yet if drunkenness on the Sunday and the waste of wages could be stopped by closing the public-houses, would the trade make that sacrifice as well as you think they would say they would make it on Saturday evening?—They would not be willing to make such a sacrifice to remedy what is to a great extent an imaginary evil, but to remedy the real evil that far more persons upon them, they are prepared to make any sacrifice that can properly and reasonably be made.

1852. Do you consider that the Saturday evening state of things is an imaginary evil?—I do not.

1853. You think that that is a real evil, then?—Yes.

1854. Then if the honourable Member for Dublin brings in a Bill for closing the public-houses three or four hours earlier on Saturday, do you think that he will have the support of your trade?—No, for this reason; if you will allow me, he will not have any of our support; we are perfectly convinced that if you pass a law to close the public-houses on Saturday evening, you will merely transfer the trade from one place to another. We do not believe it possible

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possible that you could by any law, or any administration of the law, no matter if there was a Committee of the House of Commons who sat here permanently to enforce it, stop people from drinking, or could change the habits of a whole population in a short time.

1855. Then, do you think that the trade should be legalized upon the hours during which it, if not legal, would go into illicit channels?—I think that you have to draw the line somewhere, as it has been said, and I think that the habits of the population are to be taken chiefly into consideration.

1856. If the reason why the honourable Member for Dublin would not be supported in his Saturday Evening Early Closing Bill, if he brought it in, would be that there would be illicit trading during those two or three hours; is there not illicit trading during the two or three hours following the present closing on Saturday night?—Yes; but I think to a very limited extent. There is a certain class that there is no restraining and no doing anything good to; they do drink after hours, probably in the beerhouses and those places, because they are arrested for it, but the bulk of the people, I think, go home.

1857. About what hour?—I think they go home between 10 and 11 o'clock, or they go about their marketing in the ordinary shops, and I have myself seen these open up till 12 on a Saturday night, constantly.

1858. About what hour in the evening, according to what you call the habits of the people in Dublin, are the public-houses required for the purposes of counter refreshment by the bulk of the people on Saturday night?—According to the present habits of the people of all classes, high and low, the present hours are the right hours. I do not say that there may not be any improvement hereafter, and that we may not hope for better things.

1859. According to your experience of the opinions of the trade they wish things just to stick as they are?—They wish the great improvements that have been made in the laws within the last three or four years to be properly carried out, and they do believe, and I certainly believe that if they are thoroughly carried out and not thrown out of gear, as they would be in my opinion by this Sunday Closing Bill passing into law, great good would result within a reasonable time. The difficulty of carrying out these things has not been shown at all. I have had a good deal of experience, and I know that the difficulty of carrying them out is so great that if the gentlemen who are signing those documents in favour of Sunday Closing, and I venture to say even the high ecclesiastics if they spent as I have spent a few weeks day after day sitting in the police court, and saw there how even the slightest good can only be done through the most laborious efforts of the magistrates, and how it involves a large amount of evidence; and listening even to a small case in which there were five or six witnesses clearly and evidently swearing what was not true, they would see the law can only be administered by penalties, and the penalties can only be lived by the magistrates after hearing witnesses, and that in each case you have to commence all that *de novo*. I will undertake to say that there is an immense deal of good done and doing by the administration of the law in the only way in which any good can be done in any

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country; and it is that and not intemperate speeches that ever can do any good.

1860. Has not every abridging of the hours of trade hitherto been carried out in the face of the danger of illicit trading during the hours that are abridged?—Certainly; but there is a great difference between carrying a thing out reasonably and with the cheerful consent of those who are to carry it out, and trying to carry it out against public feeling, and against the feeling of those who would be affected by it, and the feeling of those who would have to carry it out. With regard to the shortening of the hours in 1832, there was a meeting of the association of which I am the secretary of, and there was a resolution passed in the society to consent, if not ask, that the hours should be shortened on Sunday evening.

1861. I am talking all along of Saturday; I have not got to Sunday yet. I observe that there was some hope thrown out by some question put by my honourable friend the Member for Dublin, which led me to hope that the trade were in favour of Saturday evening early closing?—I think the trade would make any reasonable sacrifice for the repression of Saturday evening intemperance, but it is a question which would have to be looked into exceedingly carefully indeed, and if done at all, it should be done impartially, and the better class, as they are called, must be willing to make some sacrifice of their inclinations in the matter.

1862. Would the trade object to increasing the hours of trading on Saturday evening?—Certainly they would; undoubtedly.

1863. Would you make it illegal for a man to get refreshment, if he wanted it, at 12 o'clock at night?—It is illegal in a licensed house.

1864. Are you in favour of that?—Certainly; and not only that, but I am in favour of carrying it out.

1865. Is it not a great hardship to a man who wants refreshment?—Some people think it a great hardship, but I think they are wrong.

1866. If you were a man, and wanted refreshment very badly, is it because a few drunkards would abuse the privilege that the people who would not abuse it should be debarred from having it up to 12 o'clock?—I think it is a very unreasonable thing for any traders, especially the traders in drink, that they should keep their shops open till midnight, in a place like Dublin, at all events, where the bulk of the people go to bed at a moderately early hour, say at 11 o'clock.

1867. Of course if they did not find it pay, they would not keep them open, is not that so?—I think they would be tempted to keep them open from opposition. A man loses business if he shuts earlier than others.

1868. Then they would have customers?—They would have some customers I have no doubt, and you would tempt the drunkards to remain.

1869. You said that they were only one in a thousand?—I spoke of the Sunday.

1870. Looking at that small minority, would the majority who might want refreshment at a late hour at night, consider that they were badly off after a long day; do you think if they were denied of their refreshment because some people might abuse it?—I think that you are putting an imaginary case.

1871. But it is a case which exists; it is the law that they shall not open at that time?—It is the law that they shall not, but where are the

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majority looking for it after 11 at night; you are begging the question, if you will pardon me for saying so.

1872. Do you think that the convenience of the community stops at the minute with the hand of the clock?—I think it must stop somewhere; I think 11 is late enough.

1873. If I want a cup of coffee, surely I can get it; there is no law to prevent me getting coffee at any hour if a shop were open?—I rather think there is some law for closing even coffee-shops, that they must be shut at a certain hour.

1874. Then I will say bread; is it not a matter of supply and demand?—I think not, because you would have no need of a licensing Act at all, if it was a matter of supply and demand.

1875. Does your society represent the trade in Dublin?—Yes, certainly it represents the licensed victuallers' trade.

1876. How many members of the Dublin licensed victuallers belong to it?—All are licensed victuallers.

1877. Can you give me the figures?—I can scarcely give you the exact number, but there are over 300.

1878. How many publicans are there in Dublin?—There are 700 publicans at least.

1879. I thought Captain Talbot gave us 800?—That is within the metropolitan limits; there are 1,000 if you go to Kingstown and those places.

1880. Then you have 300 out of 700?—Yes; there are more than 300; you may call it nearly 400.

1881. Then it is not more than half?—But those 300 are those alluded to by Mr. Law as the respectable licensed victuallers; there are not more of those than 30 or 40 who are not members, and who would be eligible to be members, because you must remember that the licensed victualler's license is not the only thing that is required; if they in any way infringe or violate the law habitually they are not eligible to be members. We have been obliged in some cases to return their subscriptions, and in others to ask them not to send their subscriptions again in consequence of their violating the law.

1882. Does your society represent the trade outside Dublin at all?—Except in this way that there are societies in Belfast, and Cork, and one or two other places, which correspond with us.

1883. Your society of 300 and odd Dublin licensed victuallers cannot be said, therefore, to speak for the trade in Ireland or outside Dublin at all?—There are a few members at Kingstown, perhaps some half-dozen.

1884. But none from the provinces?—There are a few societies in the provinces that co-operate with us in any matter of public interest.

1885. Of course, being in an official position, does it not strike you as singular that 300 out of all the licensed traders in Dublin is a very small number; all the others are not black sheep, surely?—You must recollect this, that there are in Dublin a very large number of hotel proprietors who hold publicans' licenses who are not publicans in the ordinary sense. Then there are a number of taverns; I think that there are over 100 of these two classes.

1886. Are they not all interested in your trade?—No, they are not in our trade; the interest is a different one altogether.

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1887. Do not you get in subscriptions from any one but actually trading publicans?—If we do get one or two, I hardly think we do more.

1888. Do not the breweries send you subscriptions?—Ours is entirely a society of licensed persons.

1889. Do you not get subscriptions from persons other than those in the actual retail trade?—Yes, but you asked the question in connection with my answer about hotel proprietors. Of course the brewers and persons interested in the trade subscribe.

1890. If the other 400, or 500, or 600 people interested in the trade in Dublin, who are not actually members any more than the brewers, felt that you were really defending their property and their interests, is it not singular that they will not send you 2 s. 6 d. a year or 1 l. a year?—They do. You asked me about the members of the association, and I gave you the number of members; but if you had asked me about those who subscribe whenever there is any matter, for instance, this very Sunday closing, the humbler traders do send in not quite so small a sum as 2 s. 6 d., but the hotel proprietors are differently interested; and when I was asked a question by Mr. Law about the number of licensed persons who had signed for Sunday closing, I should have mentioned that the hotel proprietors are directly interested in Sunday closing. They do a very large trade on Sunday morning, not, I think, a perfectly legal trade, but they do it, and they do it amongst persons in the better class, and nobody ever interferes with them.

1891. About how many of the trades that subscribe to your association are in all Dublin?—The number I mentioned. I think that they have subscribed on an occasion of that sort.

1892. Do you ever publish any accounts?—No, of course not.

1893. Why do you say "of course not"?—It is not the custom.

1894. Do not the Sunday Closing Association publish their accounts?—The Sunday Closing Association is a public association, who get money from the public. We get money only from our own members, and from persons interested in the matter.

1895. Have you any list that you would be able to tell the Committee about; or was I under a delusion in seeing that published in the "Irish Times" lists of the subscriptions to your association?—We have published lists. We have from time to time raised funds for charitable purposes, and you have seen those lists.

1896. Not the subscriptions for the purposes for the association?—Not that I am aware of.

1897. Nor votes of thanks to the subscribers; do you actually say that?—You may have seen a paragraph of that sort in a report of the proceedings of a meeting.

1898. And saying that subscriptions from the following were handed in?—Yes; but that would relate to what I call honorary members, such as I have spoken of.

1899. Have you never, except in this irregular way, divulged to the public, who are subscribers?—There is no divulging in it, because the list is printed and sent round to every member of the association once a year.

1900. But not published otherwise?—Not otherwise.

1901. About how much was placed at your disposal

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disposed in this way, or in any other way, for conducting the anti-Sunday closing campaign?—Only a very moderate sum. This has been going on a very considerable time.

1902. About how much within the last two years?—I cannot give you the exact figures, but the amount which has been subscribed specially for the purpose is a very moderate sum.

1903. About how much?—There was 500*l.* or 600*l.* subscribed last autumn.

1904. You called for 2,000*l.*, I think?—No, for 1,000*l.* I do not think we called for it, but somebody proposed a resolution that they ought to subscribe 1,000*l.*

1905. At the association?—Yes.

1906. Was that resolution adopted?—Yes, it was.

1907. Was not it the act of the association?—Yes.

1908. Was not that a call for it?—That is not the way that they described it; but, however, it is the same thing. I suppose they did not call for it, because those present simply said that they would subscribe it themselves, but they did not do it. They subscribed a certain sum. Immediately after that occurred the death of the late Recorder and the present Recorder produced a change in the licensing system, and we were immediately thrown into what I may describe as hot water about vested interests in licenses, and then we were obliged to raise a considerable sum of money to have those cases argued by eminent lawyers before the Recorder, and subsequently in the Court of Queen's Bench. We were obliged to raise a fund for a different purpose that has cost us already about 800*l.*, and will cost us 1,000*l.*

1909. You think that if you had only money enough to spend you would have no difficulty in getting up plenty of anti-Sunday closing meetings?—I do not think that that was what Mr. Murphy suggested.

1910. He said if there was an organised body with sufficient means, there could be no difficulty in getting up meetings against Sunday closing?—I do not think he applied that to my body. I think he said if there was an organised body; but I took it to apply to an organisation separate from the licensed victuallers. I consider that we have a great difficulty in interfering in public meetings with reference to this matter, because if any agitation is got up upon the matter, as I said before, it would be an angry agitation, and one calculated, in other respects, to injure the licensed victuallers: to injure them with the upper classes, whom they are very much dependent upon, and I may say upon the magistrates, and they wish to stand on as good terms as possible with the persons who are proposing this reform, and I think there would be great difficulty in their interfering; I myself feel the difficulty very much.

1911. Was it the want of money which prevented the meeting called in Phoenix Park from assembling to the number of no more than seven persons?—The meeting that has been referred to and described I think by Captain Talbot, was called or got up when I happened to be in London with reference to this very Bill. We knew nothing whatever about it, and no person connected with the trade interfered; and I say now that the parties acted very improperly with-

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out any sanction from the association, and we have never paid a shilling of the cost, whatever it was.

1912. Was it want of money that caused that meeting to fail, and only seven persons to assemble?—I cannot say what was the want; there was a want of persons meddling with it that were competent to manage it.

1913. The men who knew how to get up the thing were not there?—I do not say that.

1914. They were there the other night in the Rotunda?—Yes, they were there the other night.

1915. Were you in an ante-room that night?—I was.

1916. Who was with you in the ante-room: were they tradesmen or were they publicans?—At the time the meeting was being held, there were a number of persons connected with the licensed victuallers. I may mention that the committee were in the ante-room.

1917. Was there any refreshment going on there?—Certainly not.

1918. In the ante-room, I mean?—With this exception, I endured a good deal of over-fatigue in connection with getting up that meeting; meetings, as you know, do not get up spontaneously themselves, and towards the close of the evening a respectable gentleman said to me—“I was walking up and down the room the whole time—“You must feel excessively fatigued!” I said, “I do.” “Well,” said he, “I will get you a little brandy and soda;” and he brought it me, and I think that I was the only person in the room who had what you call refreshment.

1919. The publicans' committee were in the room; in fact the meeting was got up by the publicans?—In point of fact the meeting was suggested by me, and I may say, to a certain extent, got up by me; but if you will allow me, as you have entered into the matter, it is only fair to explain that when this measure was before the House of Commons, before this Committee was appointed, and at the time that the Committee was appointed, I was spoken to by several Irish Members of Parliament, saying that at all events, it was said, that the working classes in Dublin had not taken any part, and that if they had a strong feeling against this Bill they had not shown it, and that steps ought to be taken, and that I myself ought to take steps, at least, to put it into their power to express their feelings; and I will tell you frankly what I did. When I went back I got our committee, on my strong recommendation, but very much with their own accord also, to appoint these gentlemen who would come with me and visit the trade societies at their committee-rooms. We did so. We did that on Saturday night, and on that on Monday night we visited, I think, about 20 societies; some of them were holding meetings at the time, and in other cases there were only two or three in the rooms doing some matters relating to their accounts, or business of that sort. On visiting them, I and the other gentlemen who accompanied me put the matter before them in this way: that we had been blamed for not having given them an opportunity of expressing an opinion upon the Bill; that we were now willing to let them have an opportunity; that we would not interfere in the matter further than to pay the expenses of giving them an opportunity of holding a meeting; and I asked them if they

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would do so. I may say that they all approved of doing so, and we called a preliminary meeting of their own people at the Painters' Hall. I attended that meeting, and some half-dozen licensed victuallers, I believe nearly the same gentlemen that had been going about, attended it. At that meeting there were about 100 or 150 persons present, some of whom said that they were delegated by various trades to attend, and they came to a resolution by, I think, 100 to two or three, to hold a public meeting against the Bill.

1890. Were those meetings that you attended a general body of the trades; was any notice given of your intention to drop in upon them?—Certainly not; I went home and attended them the same day. I arrived in Dublin on the Saturday morning, and I attended the societies on the Saturday evening, so that it was impossible to give notice.

1921. Were they the general meetings of the trades, or meetings of the general body?—In some instances they were meetings of the general body; I saw a very large number in the room.

1922. In one case?—In a number of cases.

1923. About how many would be present?—I do not say they were the general body, because the rooms in which they were generally held would not hold more than 30 or 40. In some cases they were very crowded, and in other cases not so.

1924. How many would be present on an average of the trades that you went to?—I could not average them, because some of these were meetings at which there were only a few present.

1925. Which was the fewest and which was the greatest number?—In some cases we saw only the president and secretaries or the officials; it might be the treasurer or any other of the officials.

1926. You cannot tell us that the general mass of the trades had any voice at all in this meeting, except through their officials' action?—I know this, that some of these parties summoned meetings of their bodies, and appointed delegates to attend the meetings; they specially summoned them for that purpose.

1927. Was the chairman appointed as a delegate by his trade; I mean the chairman who presided at the Rotunda meeting?—The chairman who presided at the Rotunda meeting is president, I think, of the most numerous trades body in Dublin.

1928. He is foreman cooper at Sir Arthur Guinness's brewery, I believe?—He is. That is the place in all Dublin where you would expect the most respectable tradesmen to be, especially coopers.

1929. Would they be the most disinterested?—The foreman of the coopers in Sir Arthur Guinness's is no more interested in Sir Arthur Guinness's brewery than I am. By-the-bye, Sir Arthur Guinness is not in the firm now.

1930. I mean Guinness's?—Yes.

1931. Are you aware that his trade has deposed him from the presidency for having taken the chair at that meeting?—Indeed I never heard a syllable about it.

1932. Would you be surprised to hear that that had been done?—I think not, because I do not think I will hear it; but I should be very much surprised if I did hear it.

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1933. Was there free admission to the meeting?—It was a meeting held with open doors.

1934. At what o'clock were the doors opened?—The doors were opened, I think, about half-past seven.

1935. Is it a fact that the object, the favoured few, were admitted secretly by a different door and by sealed tickets, before the general public were allowed to come in, to keep order, I suppose?—What do you call the "favoured few"?

1936. Drymen and others?—I considered that having originated that meeting, I was to a great extent responsible for the meeting. Having heard, and in fact seeing it in the newspapers that the opposing party were exhorted to stand firm and come to the front, and that a very strong effort was made to get up a violent opposition (because after all when two parties meet in a mass meeting, that means something very like physical force, there is no other meaning for it), I did precisely what I did when I was secretary to the conducting agent of Sir Dominic Corrigan, I had the platform protected by proper persons, and I believe the very same persons, or they were at least from the very same building yards, who protected the platform on that occasion.

1937. Will you take that ticket in your hand (*holding a ticket to the witness*); do you think that is one of the tickets that admitted the proper people?—Certainly that is; I have no doubt it is. That is the signature of the honorary secretary of the meeting, who was appointed at the preparatory meeting.

1938. There is no doubt, as you say, that there was no one in Dublin who better knows how, either at an election or otherwise, to secure what we used to call a show of hands?—It was nothing of the sort. I said it was to protect the platform. You cannot have a meeting if you do not protect your platform. That is the first thing to be done in a meeting, where there is any threat of physical force; in fact, to garrison the citadel, as you may call it, fairly.

1939. Were you at the Mansion House public meeting called by the Lord Mayor in the Round Room on the Sunday Closing question, at which Mr. Kegan complained that the meeting was called in the early part of the day, when the working classes could not attend?—I was not. But when speaking to gentlemen connected with the movement, I have always told them that I would never attend a meeting unless I was specially invited, of persons favourable to the Bill, for I do not think it is a fair and proper thing, because it leads to disturbances. I should explain that I consider that the Mansion House meeting which I did attend was a meeting of the citizens of Dublin, called, not to support the Bill or anything of the sort, but to consider what ought to be done. I had at least a technical apology for attending there, but no more, and I did not attempt to oppose the resolution without asking the permission of the honourable Chairman and the promoters of the Bill.

1940. Were you heard?—I was heard.

1941. Freely and fairly heard?—Very fairly and very kindly.

1942. What was the decision of the meeting, having heard you?—The decision of the meeting would have been, I think, against the Sunday Closing

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Closing Bill, perhaps I ought to say that candidly.

1943. What was it?—There was no decision, because the Lord Mayor declined to allow us to divide.

1944. Did he make that decision from the chair?—Yes, he did.

1945. You mean it was no decision of the meeting; it was simply a decision by the chair?—Allow me to tell you what did occur.

1946. I will get to the end of it afterwards; but I am right in apprehending that this is what happened, that there was a decision, but that you think that if he had granted you a division, it would have been the other way?—Perhaps that is one way of describing it, but I do not think it is a fair way. The fair way of describing it is this: I asked permission to propose an amendment, and the amendment I proposed was submitted to the promoters of the meeting. The amendment was simply that the meeting considered that the carrying out of the law, and the efforts of the magistrates and the authorities to carry out the law, ought to have a fair trial before any further experiments were made in licensing legislation. That was the substance of the amendment which I submitted to the secretary of the Sunday Closing Association; Mr. Russell, and he said that it was a fair amendment; the Lord Mayor accepted it, and I spoke to it, and some one in the meeting seconded it. Then the decision was given; that is to say, a show of hands was called for. There were a number of very respectable gentlemen, clergymen and others, present. It was very up-hill work for me (especially as some of them had been personal friends, to whom I had probably been under some obligation), but I should say anything disrespectful of them; it was very up-hill work to speak against the current of feeling then, and it was still more up-hill work for me afterwards to call for a division, but I did so. I begged the Lord Mayor to say whether he would not give me a division; I said, "Of course in your own house I cannot with any propriety press you to grant me a division, but I will only make my formal protest against the decision." The decision he gave was, that by a show of hands the meeting was in favour of the resolution and against my amendment.

Mr. Bruce.

1947. Was your idea of the show of hands that it was in favour of your amendment, and not as the Lord Mayor decided it?—I could scarcely go so far as that; I believe that the thing would be so evenly balanced, that above all it would be shown by the division that the interest taken in the question by the citizens of Dublin was very minute. Supposing even that they were nearly evenly balanced, as I was expecting, yet the meeting was held in the oak room, which is the small dining room; I do not think there were 150 people there representing the two classes of the citizens of Dublin, those who were in favour of the Bill and those against it. And it was at a most critical point of the matter, just after the resolution had passed the House of Commons. Perhaps you will allow me to add that I did not ask any persons to go to that meeting. I said that I would go there myself, but I never asked any other person to go.

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Mr. Sullivan.

1948. Are you aware that at that Mansion House meeting Mr. Kegan objected, on the ground that the tradespeople could not attend in the day time, and that the friends of the Sunday Closing Bill said that they would call a public meeting in the Round Room, pay half the expenses, and let the trades committee discuss it *pro and con*; did you ever hear of that?—I think you are mixing up two things together; it was to me that that proposition was made.

1949. That could not be, because I made it?—You are mixing up two things.

1950. Then it occurred twice?—I do not know who was to pay half the expenses.

1951. I will undertake to say the gentleman is in the room who took my written memorandum to Mr. Kegan on the spot; the parties paid the whole of the expenses the other evening?—There were no such parties there. I was the only person who could have answered such a question, and that question was put to me, and I consented to it.

1952. But I saw them there; I saw the publications there?—Such a proposition was made to me; I laid it before my committee, and they cheerfully consented to it, on this one condition, that the meeting should be called by some persons who would be impartial in the matter, or as near as I suppose is possible, because perfect impartiality is not to be had anywhere; and I suggested on my side that it should be called by delegates, by one delegate from each of the 54 trade societies in Dublin; that was not accepted, you will recollect the opposite side refused it, and they have never held an open meeting in Dublin since. We did hold an open meeting; when I say "we," of course I mean the meeting in the Rotunda.

1953. The meeting called by this ticket?—No. I beg your pardon. The ticket simply admitted persons who were to protect the platform, and it was issued to the press that they might not be obliged to force their way through the crowd.

1954. Are you aware that the trades did come to a meeting in the Mechanics' Institute, from which, according to the newspapers, hundreds and thousands had to be turned away for want of room; that they did come and discuss the question *pro and con*, and move amendments for 3 hours and 40 minutes?—I am not aware of what occurred there; I only heard of it. I think you were in the chair; and you being in the chair, and some other advocates of the measure being prominent in the matter, against whom such men as Mr. Kegan would stand a very bad chance in argument or in discussion, I could not at all consider it a fair meeting, or in any way one to discuss the question.

1955. Do you know who at the time moved me to the chair?—I do not recollect much about it except that you were in the chair; I was not present.

1956. Would it affect your mind to know that a member of the Anti-Sunday Closing Association moved me to the chair?—Not in the least. We all have a very high opinion of you as a public man on all sides.

1957. How many assistants are there engaged in this trade on a Sunday, do you think, in Dublin?—I do not know, of my own knowledge, at all.

1958. Do you suppose that there are as many as 1,200

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1,200 or 1,300 houses?—There are not so many; there are only 700 houses.

1859. You are talking of the licensed victuallers; I am talking now of those engaged in the Sunday sale of liquor?—You must recollect that the 700 licensed victuallers include the hotels; in fact, there are not more than from 500 to 600 licensed victuallers.

1860. Do you think that it is an exaggerated estimate that there are 2,000 or 3,000 young men in Dublin engaged on Sunday in this trade?—I have no means of judging, but I think it would be somewhat exaggerated; there are a very large number.

1861. Would you say 2,000?—Possibly, but I do not know any more than any other gentleman.

1862. Ought not you to know, as secretary of the trade, what is the average number of assistants in each shop in that trade?—No, it is not in any way my business; my business has been more with relation to the Licensing Acts, and the endeavour to get them enforced, and the promoting of public matters of that sort.

1863. Would it be an exaggerated estimate that in the 1,000 houses opened on Sunday in Dublin there are a couple of thousand young men engaged on Sunday at serving?—I should be inclined to think it an exaggerated estimate, for this reason: that I know that in the humbler houses the business is chiefly conducted by the owner, and perhaps his wife or daughter.

1864. We will count those?—If you mean all persons that are employed altogether in public-houses, there are probably a couple of thousand persons; that seems a rather large number, but still there may be.

1865. What hour do they work throughout the six days of the week; from what hour in the morning up to what hour at night?—The licensed houses are entitled to be open from seven in the morning till 11 at night; but I cannot say that all those persons work all that time.

1866. That is 17 hours a day for six days; how many hours a day on the Sunday?—From two till nine in Dublin.

1867. What chance of recreation and self-improvement do those couple of thousand people get by those hours of trading?—It is impossible for me to answer that question about any one of those 2,000 persons.

1868. You have been asked questions here as to the working classes?—Not without a knowledge of the matter, I think.

1869. Then your knowledge of the working classes excludes any knowledge of the working classes in the trade itself?—Not any knowledge of that class.

1870. Have not you as good a knowledge of the working classes in the trade you represent, as of the working classes in the building trades?—Scarcely, I think.

1871. Do you know no more about the trade you represent than you know about the building trade?—When you put the question in that way I know a great deal about it, so far as relates to the administration of the law; I watch that very closely; I attend the courts, and everything of that sort in relation to them. Of course I visit the houses from time to time to see the persons who are connected with them. I visit them specially, to see what accommodation is given in them; but with regard to their common affairs

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of business, their commercial affairs, or anything of that sort, I probably know as little as any person.

1872. Some other working classes, not connected with the trade which you represent, have enabled you to represent their feelings for you, have given us an answer on the subject of their feelings; have the working classes connected with the trade that you represent told you their feelings about the hours on Sunday; do the young men complain of it; do not they feel it a hardship?—They have not complained of it to me; but I have no doubt that they do complain of it.

1873. Is it not strange that they should not complain to you?—Just consider for a moment the relation which I have to the trade. I have a simple relation to them as secretary to their association; I have no relation to their ordinary business in their houses.

1874. Have they not at public meetings spoken of themselves as the white slaves of Dublin?—Not that I know of.

1875. Who trade 17 hours a day during six days, and seven hours on the Sabbath, when all others can go to the green fields; have you ever heard that said, or read it in any of the reports of meetings?—I think I heard that you had said so in one of your speeches, probably adopting the language that was used by some one else.

1876. Was I quoting what they had said?—Possibly. I only heard it at third or fourth hand. At the time that you were making those speeches I had nothing to do with the public-houses, and took very little notice of what was going on.

1877. In estimating the effects of Sunday closing, and the grievance upon those who used the public-houses, would the lives of those 2,000 persons labouring all those hours enter as an element into your judgment at all?—If you mean to say, would I have a strong feeling of sympathy with those people, I reply, quite as strong as any person can have.

1878. The Sunday closing would give to those people at all events one day, having laboured 17 hours a day on the other days of the week?—Yes; but that applies to any labour that has to be done on Sunday. It applies to your servant who cooks your dinner if you dine on Sunday. It applies to the tramcars, and to railways, and to everything. I may mention that at one time, when I was the editor of a newspaper, I and my colleagues had both of us to work very hard on Sundays occasionally.

1879. Still we gave the people from Friday morning, if I mistake not, or Saturday morning till Sunday night?—I am now speaking of what I did myself.

1880. Still your hands had from Saturday morning till Sunday night; was not that so on the daily newspaper?—Yes, unless when there was an evening paper published in connection with it, which was, I believe, the case in my experience.

1881. I believe that the trade which you represent are not very friendly to what are called the spirit grocers' branch of the business?—The trade I represent of course do not wish to see the spirit grocers selling as publicans. But when you ask me are they very friendly, I think they are very much too friendly, and that is one of the greatest difficulties there is. Blame has been



Mr. Sullivan—continued.

been cast upon the police, which in my opinion is not just, though of course I am not saying that there is not some ground of complaint; but I am speaking of the sympathy that is felt for the spirit grocers, men who have got what business they have got by a wrong position, and that people do not like to rush at them and have them put into the Bankruptcy Court without any reasonable consideration. I think that feeling is shared by the licensed victuallers as much as it is by anybody. In fact, I feel myself that I have been blamed when I have pressed, as representing the licensed victuallers, the enforcement of the law against spirit grocers.

1862. The enforcement of the law against those spirit grocers are for infractions of the law, because they are not licensed to sell on the premises is not that so, but merely to sell off the premises?—There are two kinds of infraction—one in which they sell for consumption on the premises during the legal hours of sale—that is one kind of illicit sale; and another when they sell for consumption on the premises at hours when even the licensed victuallers would have no right to sell.

1863. Would not it cure the evil if those men were granted licenses to sell for consumption on the premises, and then it would not be illegal?—You might as well ask me if a man who picked a purse had a present of a purse made to him, whether that would not save him the trouble of picking the pocket.

1864. But no man is allowed by law to pocket a purse?—Nor is a spirit grocer allowed by law to sell for consumption on the premises. Do not understand me as saying that it is quite as bad as picking a purse.

1865. One class of people are allowed to do a certain thing, and another are not?—Yes.

1866. You cannot of course compare that with picking a pocket, for the law is equally against all in that respect; is not that so?—I think that that is a very sophistical way of looking at it. The law allows a licensed victualler, and not only allows him, but it is his duty to sell liquor to the public for consumption on the premises, but the law does not allow the other class of licensees which were created for a different purpose, probably with the view of limiting the public-house system, to be used in an illegal way.

1867. Supposing that these men were granted publicans' licenses to sell on the premises, would not that strike at the root of a great deal of what is called illegal trading or selling on the premises, so then it would make it all lawful?—If there were no restriction on the issue of licenses; if the Legislature had not passed a law empowering the magistrates to limit the issue of licenses, of course there would be no infraction of the law if it did not exist.

1868. Is it not quite within the option of the licensing authority to grant many or few?—No; if, as I understand it, the licensing authority has to administer the law, and the law undoubtedly restricts them within the limits of judicial discretion, which is not by any means whim or fancy, as some people seem to think.

1869. But is not it quite within the discretion of the licensing power to grant those licenses to those people on the ground of public convenience?—If the licensing authority believed that for the public convenience those houses required to be licensed, undoubtedly it would be in his

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power to grant them. But when he does not believe that, but believes directly the contrary, I think that it is not in his power, because you say of the magistrate or the judge that anything that he ought not to do, of course that is not within his power.

1890. It is within his discretion as a judge whether he ought to grant it or not?—It is within his discretion as a judge, but discretion in that sense does not mean that he is to do what he chooses, or that he does it to sympathise with the applicant, or anything of that sort. His judgment in the matter is bound by his discretion just as if he were sentencing a prisoner.

1891. As a matter of convenience or custom, he does so constantly to your view?—My view of the public-house system is this. I think the public-house system has been badly dealt with.

1892. That may be your answer, if you were proceeding against a man in the Superior Court, but you were talking of the magistrates having discretion as to granting a license, and I want to know if it is your view that that discretion should be used according to the public convenience?—That question is not in itself comprehensive. I believe that there are a good many other considerations besides what might be called mere convenience. I think that the law clearly means this, that the publican is to be a person fit to be entrusted with a license; fit, not from his ability to sell liquor, because any man can do that, but from his ability to protect what is much more important, namely, good order and temperance. The public-house system was established by the people who went before us, and probably there was some little sense in the world even before we came into it; that system has never got fair play. It has been improving in Dublin wonderfully for a great many years, and if that unfortunate blunder in 1865 had not occurred, which produced nearly 500 publicans selling without publicans' licenses, I think we would have done even better than we have done; but it is improving every year, or at least it is on the mending hand, as we say. But the magistrates are right to consider a multiplicity of things; the convenience, no doubt, of the locality, the character of the people, and, above all, whether it will tend to produce sobriety and good order, as well as the mere convenience of drinking.

1893. Are the licensed victuallers of Dublin averse to illicit trading in liquor?—Certainly.

1894. Would they be disposed to co-operate with the police in putting it down?—Certainly; but I find, as I have already pointed out to you, that there is a strong feeling amongst them that the spirit grocers for instance who have been, I may say, encouraged to trade (I do not exactly say encouraged, but I have pointed out that they have been indirectly encouraged by an error of the Legislature, at least there has been something amounting almost to encouragement), have got into the business, and they are now in the unfortunate position that the bulk of their business depends on their habitual violation of the law. I do not think that the publicans, any more than any other citizens, would like to see a rush made upon those men, and to see them driven into the Bankruptcy Court or their livelihoods altogether taken away from them. All that we aim at, all at least that I think we can hope or expect, is that the discouragement, which has been now since the Act of 1874 coming into effect (especi-

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ally the annual licensing sessions, which I think is the most useful institution that we have had amongst us, will gradually prevent improper persons getting into the business, and it will gradually reduce this evil within slighter dimensions.

1905. As you know so well the trade in Dublin, and you talk of the benefit of reducing the number of licenses, is there not such a thing as a comfortable monopoly?—There is a very valuable monopoly.

1906. Will you tell me, as a matter of fact, whether it is not the case that the objection raised by all the men in the trade in Dublin is because they want to have their own monopoly conserved?—I can say, I think, with a clear conscience that that is not so. The movements to endeavour to get the evils that existed remedied have been, I think, to a considerable extent, I may say, made through me, and my motive was what I explained at the commencement of my examination, namely, that I believe that the preservation of the vested interests of the licensed trade depends upon a remedy being found for the evils which exist in connection with the liquor trade, and that is their leading motive, and not any shortsighted self-interest.

1907. You spoke of the sympathy which the trade had for the spirit grocers, forbidding them from making any great objection that would hurt them as to their illicit trade; supposing one of the most respectable of the spirit grocers of Dublin applied for a license, would your trade oppose him, or have your trade opposed such men?—I would certainly oppose them.

1908. Why would you oppose one of the most respectable men in the trade?—Because his respectability has nothing to do with the matter. The law is that these licenses should be granted where there is a need for them; that is as clear as possible; and the need is not this man's need. It is not the interest of the publican that is looked to in the law at all; he does not get the monopoly for his own sake.

1909. Supposing that the neighbourhood wished it; supposing that a respectable spirit grocer (Mr. Castle, for instance) applied for a license?—In his neighbourhood there were nine public-houses in the district.

2000. What do you mean by the district?—I mean the street.

2001. Nine in what distance?—Nine within 300 or 400 yards. You know the bridge, of course, and you know the Custom House. I mean between the bridge and the Custom House.

2002. That is nearly three-quarters of a mile, is it not?—I think not. As I have walked up and down and made a special visit there I know how many licensed houses were in it.

2003. I mean not from Mr. Castle's to the Custom House, but from the Borough boundary to the Custom House?—You are speaking of the farther bridge; I am speaking of the nearer one.

2004. You say it was because there were already nine in that locality, that is, in half a mile?—It is not anything like half a mile.

2005. Certainly over a quarter of a mile, is it not?—I am quite willing to admit that.

2006. How many are there in the neighbourhood of Toward-street corner?—Half a dozen, I think.

Mr. Sullivan—continued.

2007. Within what scope are there half a dozen there?—In a small semicircle.

2008. Could you pitch a penny-piece from one to another?—Perhaps there are persons who could do that, but I do not think that I could.

2009. It is only the width of the street, is it?—It is a sort of semicircle. I suppose that it is a hundred yards across, or perhaps less; and in that case I certainly would oppose a new license.

2010.—Your society objected to Mr. Castle, who is admittedly a most respectable gentleman in the trade?—I endeavoured to explain that I did not like the term most respectable, because a man who states that he is habitually violating the law you can hardly consider most respectable.

2011. That would be cured if you would let him get his license, would it not?—I do not think it would. I do not think that this violation of law is cured by getting permission to go on. I would look upon violation of the law as by no means so small a matter.

2012. You really think that on the whole, from your point of view, the feeling of the working-classes in Dublin is averse to Sunday closing?—Undoubtedly.

2013. If your own mind was satisfied that the working classes of Dublin in a considerable majority wished for Sunday closing, would you have it granted to them?—I would have still great difficulty about it. Supposing even the case you put, which I do not think exists, it affects others besides the working classes. I will take the whole community. I would just wish to explain this matter. It has been put down that there has been this house-to-house canvass; and the question which has been put is: Do you wish that public-houses and spirit grocers' rooms and all of them should be closed on Sunday; and the answer has been, Yes, or No. But I have always thought, in thinking the matter over, that that is not the question at all that is really at issue.

2014. I am not going to pin my faith in this question at all to that paper; put that paper out of your mind, and we will put the question now in any shape which will be fairest to you; supposing you found that the whole body of the community, if you like, or if you prefer it I will restrict my question to the working classes who use the public-houses, were in a vast preponderance in favour of closing public-houses on Sunday, would you then be in favour of it?—Not unless the meaning of closing the houses on Sunday was brought home to them, and they fully understood what it was; and if you cannot find that the working classes in Dublin are in favour of having a working man sent to prison for drinking a glass of beer at any hour on Sunday, you cannot say that they are in favour of Sunday closing, because that is what Sunday closing means, and I may perhaps take the liberty of saying that sending a working man to prison is not precisely the same thing as putting a steyned cow in the pound. It is a very serious matter to introduce the idea of imprisonment or degradation of that sort in the case of men who are as free from it as any person in the community. You degrade their wives and families, and every one connected with them.

2015. But that applies to men who begin drinking at a few minutes past 11, does it not?—I am certain that they would not be sent to prison for it.

2016. They

Mr. Sullivan—continued.

2016. They would be sent to prison for taking drink at illicit hours, both on Sundays and on any other nights?—I think not; not in Dublin; it has never been found necessary to resort to that, but it would undoubtedly be necessary in this case.

2017. Do you think that if the people could realise sufficiently all that was involved in Sunday closing, and if, nevertheless, they wished for it in a fair and substantial majority, you would be for granting it?—I would hesitate very much to grant it, if I had anything to do with granting it, in deference to any expressed wish of the kind. I do not believe that the wish exists; but supposing that it did, I do not think any man can fairly judge of this matter who has not had a considerable experience in administering the law, or having watched the administration of the law. I have done so, and I believe that Sunday closing or any other Act that would punish the working classes for doing what is itself a harmless act, unless it is made harmful by law, would inflict great injury. You have to choose between two things, either letting the thing go by the board or punishing the least breach of the law by heavy penalties; the first you could not do in a city like Dublin; it would be too great a scandal. You may do it in the country, but in Dublin the law should be administered, and in my opinion there would be a revolt of public opinion almost immediately. You can understand, for example, how seriously the learned recorder spoke of public opinion; but that is one of the greatest difficulties at present, that the moment you enforce the law severely in such a matter as that you turn public opinion against you.

2018. Then you would not defer to their expression of opinion, because they thought that they had sufficiently understood all that is involved in it?—I do not say that; but I think that counting of heads, or a *plébiscite*, or anything of that sort, is not the proper way for deciding what ought to be done, especially in a matter of this sort. I think it is a matter for gentlemen who have been elected Members of Parliament, who are persons of intelligence and ability, and who would be responsible for what they do, to look into it very carefully, and see what would be the result, and not look merely at what people wish.

Chairman.

2019. You were present, I think you have told the Committee, at a meeting that was held in the Rotunda on the 28th of February?—I was in the ante-room, from which admission to the platform is obtained, not in the meeting itself, but the door was open, and of course I knew what was going on.

2020. That meeting was a public meeting, was it not, held against Sunday closing?—An open public meeting against Sunday closing.

2021. Could you tell the Committee, from what you saw, how many persons you think attended that meeting?—The "*Freeman's Journal*" and the "*Evening Mail*" said 4,000, but I hardly think that 4,000 could fairly fit in the Rotunda, not even standing. The seats were taken away for the purpose of accommodation; it was stated that 2,500 could be seated in the Rotunda at concerts, and of course you can judge how many more might fit on such an occasion, when certain.

Chairman—continued.

certainly it was very crowded, and the gallery had to be opened. The persons who were managing the matter did not intend to open the gallery for fear that there might be a disturbance, seeing the danger that perhaps a person might be flung from it, or that something of that sort might occur. I had very serious apprehensions when I saw the notices given and the handbills that were handed about, of which I have got copies, inciting persons to go there and defend their principles, especially speaking of the meeting being held in opposition to Cardinal Cullen, and things of that sort, which really was not the case; on that account I had very serious apprehensions of a disturbance.

2022. Have you got any of those handbills with you?—Yes, I have. This is one of those of which I speak, which were handed about in the streets; and this is another which I got myself, and which was extensively circulated (*delivering in the same*). The one that I have in my hand is headed, "When will ye serve, the Church or the publicans?" and gives the opinions of Cardinal Cullen and several Roman Catholic archbishops in favour of Sunday closing?—Yes, but then there is at the bottom of it an appeal to them, and of course in Ireland any appeal in which the name of the clergy is drawn in is very effective.

Mr. Sullivan.

2023. Is there any appeal with reference to the meeting there?—I think there is if I am not mistaken.

Chairman.

2024. "Working men, you are called upon to show this evening that you trust the clergy, who are your good friends, and that you will not trust the publicans who care only for themselves," and so on. And there is another, calling upon the working men to assert their rights, to free themselves from temptations to intemperance, and a proposal against keeping the public-houses open on Sunday. Did you see these distributed?—Yes, I saw them myself distributed in the streets, in Sackville-street, and the neighbourhood.

2025. Were many persons anxious to attend the meeting who could not get in, do you know?—I heard that there were many persons outside, but I being inside did not see.

2026. How many of these platform tickets were issued on which the honourable Member for Louth examined you?—I do not know; they are tickets in the writing of the honorary secretary of the meeting, and of course there could not be so very many of them issued. They were not printed. I think they were in his own handwriting. He was a working man who was appointed at the preparatory meeting as one of the honorary secretaries, and he issued them in writing, so I do not imagine that there were a very large number.

2027. Were the tickets, of the kind that I have read, distributed?—Yes; they were sent to the newspapers for the convenience of the reporters in getting into the meeting; but, perhaps I can answer the spirit of your question better by saying that I know that a large number of persons were admitted into the room for a special purpose, as I said, the very same thing as was done at any election meeting, at which

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I have ever been present, for the purpose of protecting the platform from being taken possession of by the adverse party, without which you could not possibly hold a mass meeting where there is opposition.

2028. Were there any persons in the meeting who were in favour of Sunday closing, judging from their actions?—Yes, I am sure there were. I did not see the meeting; but I am perfectly sure that there were a number of persons attended it who were in favour of Sunday closing. I understood that the honorary secretary of the Sunday Closing Association, Mr. Nicholls, was present, and some others.

2029. Did you see what passed at the meeting?—I rather heard than saw. I cannot say that I saw very much, except the platform.

2030. Was there much disturbance?—I think that the disturbance was very greatly exaggerated. A disturbance occurred, but not at all at the commencement of the meeting, for at first it appeared to me to be one of the most enthusiastic meetings, judging from the immense cheering which could be heard at a very great distance; it appeared to be, so far as I could judge, as unanimous a meeting as one could expect. Later on, in consequence of some persons wanting to move an amendment, and being refused, and perhaps a little roughly handled, there being some but working men on the platform, and no one accustomed to manage meetings being there, some little disturbance occurred; but I think it was very greatly exaggerated in the reports that I saw of the meeting. All that there was occurred towards the end of the meeting. Some persons, who were perhaps roughly handled early in the evening, went out and came back with paving stones, and these were flung at the platform, and two working men were hit by them. One brought me a paving stone, which cut his face, and I have it in my possession still as a specimen of Irish public opinion on the question.

2031. What was the nature of the amendment?—It was an amendment in favour of the Sunday Closing Bill, but I do not know the exact terms of it.

2032. Do you know whether the person who proposed it was heard at all?—No, I think he was not. It was an understood thing that the meeting was a meeting to protest against the Bill, so that any persons of that kind coming there were understood to be, as they would be in any case, as coming to disturb the meeting.

2033. The honourable Member for Louth has referred to the fact that the chairman of the meeting was employed in Guinness' brewery?—I think he is the foreman cooper in the brewery of Guinness & Co., but the fact in relation to that is that the great bulk of the most respectable coopers in Dublin are employed in the breweries, and a majority of these in the brewery which does probably the greater part of the trade, namely, Guinness'.

2034. Do you know what trades any other speakers at the meeting belonged to?—Yes, the first speaker at the meeting was the president of the house painters, and I think the president of the brass founders was the second, or at all events he belonged to that trades' association. There was a bricklayer also, and I know that there were two representatives of the Carpenters' Society; the carpenters of Gloucester-street, as they are called,

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who are a large body of carpenters, and there were representatives of other societies at the meeting. The way I happen to know that is that the persons who came representing them brought me a paper which purported to certify that they were authorised to represent the members of the carpenters' body at the meeting. Generally speaking the persons who spoke at the meeting, so far as I know, were delegated for that duty by their own societies.

2035. Was the meeting largely attended by the members of those societies?—Very largely, I think.

2036. Should you say that it was principally composed of those?—Yes, I think so; it was principally composed of tradesmen and artisans.

2037. If I ask you anything that you cannot answer of your own knowledge, will you kindly tell me so?—It is very difficult to know persons who come to a meeting who represent themselves as delegates, and as persons who have been sent by their societies to sit on the platform. The coopers appointed half-a-dozen, together with the president and secretary, to attend at the meeting, and, in fact, to assist on the platform, and the other societies did something of the same kind; but in a crowded meeting like that, of course no one could tell who the individuals who composed it were, but the account of it in the newspapers certainly said that they were well-dressed artisans, and I have already called the attention of the Committee to the remarkable style of the speeches, and the temperate and moderate and loyal language that they used, and to the fact that in a great public meeting in Dublin for the first time in my experience, sentiments of loyalty and of moderation elicited applause in an open meeting. I do not think that that has occurred often in my recollection. I find that amongst a class who are deserving of consideration. There is a fear, it has been said, that it will end in riot, and that sort of thing; they would not riot, I believe, though they would suffer very much, but that certainly does not disentitle them to consideration. May I mention, with reference to what the learned Recorder said about the amount of crime in Dublin, and as the publicans are in some way, perhaps, considered to be responsible to some extent for it, I have taken pains to investigate and compare the statistics, and I find that the learned Recorder stated that there were over 3,000 indictable offences in Dublin. No doubt that is so, but three-fourths of these are for ordinary petty larcenies, and a great many of the others were simply assaults on the police that had arisen from various causes from the bad feeling that existed for a number of years, which, I am happy to say, is diminishing very fast, against the police. I may add that during 1875 there were only two persons sentenced to a long term of penal servitude in Dublin, that is to say, 14 years' servitude.

Mr. Maurice Brooks.

2038. Do you know whether there were any meetings held in Kingstown or in the Dublin metropolitan district within the last few days?—I have not heard of any meeting, except that of the Kingstown town commissioners, who met and passed a resolution against the Sunday Closing Bill, and to petition Parliament, and I believe they have petitioned Parliament against it.

2039. Do you know whether that was carried by

Mr. Maurice Brooks—continued.

by any considerable majority of the Board?—I think there were nine commissioners voted, and there were seven to two; seven voted for the petition praying the House to reject the Bill, and two voted against that resolution, and I think there was one gentleman present who did not vote.

Mr. Marten.

2040. You have been asked about Mr. Castle's case; when did that occur?—It has been always occurring for the last three or four years; he has applied repeatedly for a license, and that is one of the cases that was alluded to by the Recorder, but he has applied from time to time both to the late Recorder and to the present one, for

Mr. Marten—continued.

a license. So far from having any ill-will, or animosity to him, it happens that I know him personally, and if there was anything that I could do that would help him, I would have done it.

2041. Is there anything more than an application for a license which has been considered by the proper person to consider it, and has been refused?—That is all.

Mr. Sullivan.

2042. On the opposition of your trade?—On my opposition; I was very unwilling to oppose him, because, as I have said, I have personal reasons for wishing him well.

Mr. CHARLES JOSEPH O'DONEL, called in; and Examined.

Chairman.

2043. I BELIEVE you are one of the Police Magistrates of Dublin?—I am.

2044. How long have you held that position?—Ten years last June.

2045. Do you sit in the same district as Mr. Woodlock?—No; we have concurrent jurisdiction all over the metropolitan district; but for convenience sake we divide the sitting of Dublin proper into two divisions; I sit in one division and Mr. Woodlock sits in the other.

2046. What is your opinion of the applicability of the total closing of the public-houses on Sundays to the Dublin metropolitan district?—After listening for two hours to the evidence which we have just heard, I may make one remark, and that is, that I can assure the Committee that I have not the slightest sympathy with the public-house, spirit grocers, or beer dealers; neither with the one nor the other of them. My sympathies are entirely with the people who go to drink in their houses, whose wages are spent there, and whose families are injured thereby. Therefore I approach the subject from a totally different point of view from that from which Mr. Dryer, the secretary of the Licensed Victuallers' Association, did. I must say that, after fully considering the question as carefully as I could, and from my experience as a magistrate for near eleven years, I am opposed to the total closing of public-houses on Sunday.

2047. Will you state to the Committee why you have formed that opinion?—It is a very large question, involving a great many views; but of course I shall endeavour to convey to you as clearly and as briefly as I can how it is I am influenced in coming to that conclusion. It is, as it were, a sort of jump in the dark in trying a measure for the first time. None of us can see exactly how it will turn out. But I think it is very desirable in looking at a question of this kind, to judge, as far as we can, of what may happen in the future from what has happened in the past under a similar state of things. If you look at the City of Dublin on Sundays, you will find that the law as at present stands makes all licensed houses for the sale of drink to be absolutely closed for one-half of Sunday; and therefore, so far as the objects and designs of this Bill would go in a beneficial direction by closing for the remaining portion of Sunday, we may have some clue to guide us by noting how it acts

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for the first portion of the Sunday, in which legally all houses are closed at present. My experience as a magistrate is this, that during the first portion of the Sunday, in which no house can be legally opened until two o'clock in the afternoon, when public-houses are opened by law, there is as bad drinking, as much in extent, and more deteriorating and more demoralising to the people, than the drinking that goes on afterwards. That has been clearly proved to us over and over again in the numerous cases that came at the Licensing Sessions before Mr. Woodlock and me, at which the licensed spirit grocers and beer dealers, wholesale and retail, applied for renewals of their licenses. Then it was for the first time that I really became aware of the enormous extent, and the deplorable extent, of illicit drinking in Dublin. It was proved before us in numerous cases, during the fortnight that we sat, in each of the two last years, for it took us that time sitting all day long to get through all the cases for each period, that in the low, squalid districts, where there are miles almost of poor, filthy, streets, with lanes off them, and courtways and alleys off those lanes again, there were known houses, known to the police also, carrying on illicit trade, where crowds of people congregated and got drunk, but there was no getting legal evidence of the fact. The combination was so complete by signals, and otherwise communicating rapidly from one end of a street to the other, that it was utterly impossible for the police to be able to reach a particular house, although they well knew it, in time to get evidence in order to establish a conviction. It was marvellous the ingenuity that people had brought to bear in conjunction with the owners of those houses. As many as 50 or 60 people, labourers, common people, with their wages in their pockets, if upon the Sunday morning any were left from the night before, would be seen going along whistling, or meeting others and chatting in groups, and gradually disappearing into a house. You would say the police surely could detect it; not a bit of it; the house they were going to, perhaps, would be half a dozen doors off, but they had communications behind, and people in that way got in, and they would come out later on evidently under the influence of drink. That is the sort of thing that takes place in Dublin, both on the north and the south side of

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the river on Sundays, up to two o'clock. These facts come before me, as a magistrate, and knowing those things, I ask myself, what assembling benefit will be derived by closing public-houses and licensed houses after two o'clock, if we see that such are the results, so far, of closing before two o'clock. I think that that is a very serious fact in the consideration of the question. I think the Recorder stated, as I saw in the papers, that it was proved before him in his court, that as many as 168 people were seen going into a house between ten and two on Sunday morning, and that yet the police, although they knew that illicit trading was going on, and although the house was watched for a considerable time, were unable to establish a case against the house. Taking all those things now as facts which cannot be gainsaid, and which must be admitted as proved over and over again, there is an enormous amount of illicit and demoralising drinking, worse than any drinking in public-houses in its influences, that takes place indubitably before two o'clock, whilst the public-houses are all legally closed. What would take place in Dublin if by the operation of this Act, if it passed, the public-houses were suddenly closed at two o'clock? I ask myself who are the people that frequent the public-houses? It is a very curious thing which has appeared in evidence with regard to illicit drinking before two o'clock, that directly two o'clock arrived, immediately the whole trade ceased, and of course the after consumption in the city was expended in the public-house. But who are the people, then, that go to the public house? Numbers upon numbers of people who frequent the public-houses have got moral restraint over themselves, and sense of decency and self-respect, and refrain from going to the illicit houses, to the beer-houses, and to low-class places of that kind. They wait till two o'clock comes, and then some of them go to the public-houses and stay there perhaps for an hour or two hours. They go away and others come in later on; and these are the class of people whom I look upon as the decenter class, as the more respectable of the humbler classes of Dublin, the working people and the tradespeople, and different from those who frequent the early illicit houses. Supposing now that you shut up the public-houses at two o'clock, what would become of those people? That is what I ask myself. Can I believe that, like good little boys at school, grown up men, men with plenty of money in their pockets after their hard week's work, and earning good wages, from 15 s. to 20 s., to 2 l. 10 s. and 3 l., and some of them more, if they have a desire for drink will refrain because you pass an Act for shutting up those public-houses. If they can get it, will they refrain from drinking? My opinion is that they will not. Then comes the question, if you shut up the public-houses by law and the police are active in keeping them shut, can they prevent those people with money in their pockets from getting drink in the City of Dublin? I say again that you cannot do it; and for this reason; Dublin is saturated with drink, it is flooded with drink, it is the staple manufacture. Every kind of drink which the people care to consume is manufactured in unlimited quantities in Dublin; every third or fourth house, even in respectable streets, deals in drink. The whisky is excellent and the porter ditto. Can you prevent that

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drink getting into the throat of a thirsty man with money in his pocket to pay for it, even if you shut up the public-houses? My impression is that you cannot. Then; what will those people do to get the drink, the public-houses being closed? Some will adopt the practice which they never adopted before; they will go to illicit houses and drink beer and whisky there, of very inferior quality, and these houses by reason of the shutting up of the public-houses will be greatly increased in number, and their trade will be increased in every squalid street of Dublin. I should think that others of them will not do so. I think that the more respectable members of them will subscribe amongst themselves. I mean those who care for drink and who frequent the public-houses; I think they will subscribe amongst themselves, perhaps four or five of them together, and they will get drink on the Saturday afternoon before the public-houses are closed, which, I hope, soon will be closed much earlier than they are at present. I am afraid they will subscribe and get drink into out man's house, say Tim Purdon's house this Sunday, and next Sunday into Pat Denny's, and so on, and it will soon become a secret of Sunday drinking in the midst of their families, of course to a greater domestication of domestic life than the present system conduces to; for the children will be round, and it will be very natural, in order to make things pleasant, that little Jack, Bill, and Pat will be invited perhaps to take a sup, and so the custom of drinking will possibly be brought into the domestic life of those people. There is another way in which it strikes me also that the change may possibly be attended with considerable risk in the way of greater demoralisation than the present system conduces to. Any one who walks along the streets of Dublin on a Sunday afternoon when the public-houses are open, especially by the more respectable ones, will see lots of respectable looking young men going in and out; I mean respectable men who may be attendants in shops, and respectable young tradesmen. It is a bad thing that they should go in, but go in they do, for they are accustomed to take their afternoon's drink; and what I think is, that if you shut up public-houses those young men will not sit down twirling their fingers or go into the country or into the green fields, although they would possibly be the better for doing so; but they will go elsewhere for their drink, and then where would these young men possibly go to? What is the alternative that they may resort to when they cannot go to a respectable bar? They would not go to the degrading shabden-houses and beer-houses, as the other class will do, but to much pleasanter houses in the locality of Elliot-place, and so on, quite different localities, where the houses are of a certain equivocal character, and where they can get drink, as much as ever they choose to drink, from petroleum champagne to bad whisky. They can get it every day in the year in those houses; there is no doubt about the fact. As to those young men, it will just be shutting them out from any safe, moral, temperate indulgence on Sunday. You must face the possibility that those things may occur. It is not, I assure you, that I have not the warmest desire to promote the cause of temperance that I take this view, but it is because I am anxious to promote the cause of temperance that I do think that

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that in the present state of Dublin, and in the present feeble state of the Licensing Acts, it would be a great risk for Parliament to shut up the public houses on Sunday during the whole day.

2048. Do you think that there is illicit drinking to any extent in licensed houses on Sunday morning during the hours of closing?—That there is, to some extent, I have no doubt whatever; and I have convicted, over and over again, publicans for illicit sales before the opening hour had arrived.

2049. Do you think that the illicit drinking to which you have referred was chiefly in beer-houses?—Yes, which have proved one of the greatest evils that ever afflicted Dublin.

2050. Not licensed ones?—Those holding licenses to sell beer by wholesale.

2051. Also in houses holding no licenses whatever?—Some holding publicans' licenses carry on this illicit sale before the opening hours arrive, but not many. I must say that the great body of licensed victuallers do observe the law both in opening and closing.

2052. In the year 1872 a considerable alteration was made in shortening the hours of opening; was there not, in Dublin?—Yes, on Sundays.

2053. Have you noticed any change in the amount of illicit drinking, so far as it has been brought under your observation, before that time and since?—I cannot say, from my recollection of facts that have been brought before me as to Sunday, that there is a sensible increase. I do not think there is much illicit drinking in public-houses after nine o'clock, but cases have arisen, no doubt.

2054. Were the houses open before two o'clock in the afternoon before 1872?—No, they have been always closed under the old Acts as well as now.

2055. So that the illicit drinking which you have told us of exists rather on Sunday morning and on Sunday night?—In beer-houses and in spirit-grocers' who have no right to allow consumption on the premises at all and some publicans, where they violated the law and allowed people in, have been convicted for drinking on the premises before two o'clock. But it was a double offence with a spirit grocer, whereas it was only one offence with the publican; but the illicit drinking that I have referred to before two o'clock, in the way in which whole masses of people are trained to an organized system of violating the law, exceedingly demoralising, relates chiefly to beer-dealers: a miserable type of penurious paupers who went in under the Beerhouse Act, the 27th & 28th of Victoria, and got licenses for the sale of beer by wholesale, although in all our inquiries at the licensing sessions, in not one single instance was any one of them able to show his having effected from the beginning to the end of his trade one single sale by wholesale even in the weekdays. The whole profit of the trade of those wholesale beer dealers is on Sunday morning up to two o'clock; and their dens are frequented by hundreds of the lower ranks of the labouring class.

2056. You spoke of the feeble state of the licensing law; what alterations should you recommend?—Supposing it possible, being a magistrate, that you would ask me, very naturally, for any suggestions that I could offer in

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that respect, I have put together such as occurred to me from my knowledge of the working of the present Acts, the Acts of 1872 and 1874, together with the other Acts that preceded them, and I will draw your attention to them as I proceed. In the Act of 1872, the 35 & 36 Vict. c. 64, in the 3rd section, there is a singular omission with regard to unlicensed dealers. If I do not mistake, Mr. Woodcock drew your attention to the same omission. It is prohibited to any person unlicensed to sell or expose for sale, but they have left out the old prohibition that was in the Act of the 17 & 18 Vict., against unlicensed persons, that is to say, "keeping for sale;" the consequence is that, while the police find it almost impossible to get a case of selling or exposing for sale against unlicensed parties, they can constantly get cases of finding quantities of spirits or porter cartoned in the house, which no magistrates would hesitate in coming to the conclusion were kept for sale; so that I would say, as Mr. Woodcock, I believe, has already said, that after the word "expose," there should be inserted the words "or keep." It is "sell or expose," and then I would add, "or keep for sale." That is the first thing that strikes me. Then, in the Act of 1874, the 37 & 38 Vict. c. 63, the 22nd section, which refers to, and provides for, a constable going to a licensed house and demanding admittance, and is refused, the word "refuses" is introduced, but the word "delays" is omitted; and no ingenious counsel coming in and arguing will insist upon a distinction between refusing and delaying to admit. In the old Acts there was a provision for "delaying to admit." I would suggest that in the 22nd section, before the word "refuses," you should insert the word "delays." The old Acts provided almost for every contingency, and the consequence is that when prosecutions have to be proceeded with by the police against parties for keeping for sale, they have to fall back upon the form of summons under the 17th & 18th Victoria, there being no such expression in the new Act. The magistrate convicts, and he can only fine 40 s., whereas under the new Act he could fine 50 l. for exposing for sale; and there is such an extraordinary difference of amount between the penalties of two offences that are precisely of the same class and character, that no magistrate accustomed to administer the old law for years and fining 40 s., could ever have the conscience to fine 50 l. for the same act, especially as the alternative of imprisonment is the same for both, one month. If you want such heavy fines to be put on, you must insert, as they do in the Customs Acts and the Revenue Acts, not less than so-and-so, then the magistrates will have no choice. But I think it would be more effective to make the penalties, for a first offence, not less than 5 l. nor more than 10 l., and for a second offence not less than 10 l. nor more than 20 l., with corresponding terms of imprisonment.

2057. Is there any other suggestion that you would make?—Yes, there is. Under the new Act of 1874, there is the 24th section, which provides that a magistrate may issue a warrant to search an unlicensed house upon sworn information. And then it goes on to say that a constable shall have authority to enter and use force if necessary; but there is no penalty whatever attached to the unlicensed person inside, if he shuts the door against or shuts him out of the hall-door, for refusing to let him in, but the policeman

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police-man is driven to the very original and primitive course of getting a sledge-hammer and breaking in the door. The police do not like to have recourse to that, and the consequence is that they are under a considerable difficulty about it, having under the 24th section of the new Act, in such a case, no remedy but force. They have to summon the offender under the 5th section of the 17th & 18th of Victoria, and the penalty for this offence of refusing to admit a constable holding a magistrate's warrant directing him to search the house, is but 14 days' imprisonment. It was only last Thursday I sent six or seven people to prison for refusing to admit warranted constables into their premises; and all I could do was to send them for 14 days. What, therefore, I would suggest would be to remedy that strange omission in the 24th section, and I have sketched out the form in which the section might run: "If any person shall delay, refuse, or fail to admit (using the words that are in the old Act) such constable," and so on, "such person shall forfeit and pay a sum not exceeding £1, nor less than £1, or at the discretion of the Court be imprisoned, with or without hard labour, for any term not exceeding" so much, nor less than so much.

2058. What penalty and what term would you suggest?—As it is a law that I should have myself to be administering, if it would be the same to the Committee, I would rather not suggest the amount of punishment.

2059. You do not think it sufficient at present?—Under the old Act it was a fortnight's imprisonment, which I regard as inadequate if illicit trading is to be put down.

2060. Will you go on to the next point?—In the same section, and in the second paragraph, I would propose to substitute, in lieu of the words "has seized and removed such liquor" (which really practically is never done, or at least is never brought into evidence), the words "in the event of the owner or occupier of such premises being convicted as aforesaid," and if the fact be that there were people tipping in an unlicensed house, then let the parties be summoned before the magistrate, and be liable to the penalties provided by the section. I would only change the condition precedent. There are two more suggestions which I would make, and I think they are of considerable importance in the working of these Acts. You see my desire is to make the Acts still more severe, and to make them more effective to put down illicit drinking. What I would suggest, then, is this: in the Beerhouses Act, the 27 & 28 Vict. s. 11 provides that any wholesale beer dealer who keeps his house open from seven o'clock in the evening till seven o'clock in the morning shall be liable to all the visitations and penalties which can be enforced on any dealer in beer by retail; but the inference from that is that if the owner does not keep open after seven o'clock, the police have no right of entry at all; and the wholesale traders of the poorer class, such as I have described them, laugh at the police. Under the shelter of this section, all those scenes referred to used to take place in the daytime on Sunday morning. By reason of this omission in the Beerhouses Act, the police have no right of entry at all; and I would remedy that.

2061. Have you seen that clause in the Bill now passing through Parliament, and which has

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already passed the House of Commons, which does remedy that particular point?—No; but I heard yesterday it was in Mr. Malins's Bill. I was very glad to hear it. The sixth amendment: "As to the power of licensing sessions on applications for renewal or transfer," is really most important, and I will explain it to you. When a spirit grocer applies for his original license he has to prove his respectability of character, and also the suitability of the premises for the trade that he undertakes to do; that is, not to allow consumption on the premises, and therefore naturally the formation of the shop and the room adjoining are of very great importance. The police carefully examine these rooms, and they report when application is made for a spirit grocer's license, whether or not they consider them suitable for that particular business which is warranted under the license. On the report of a man being respectable and having high recommendations, if the locality requires a spirit grocer, the court scarcely ever refuses a license. A short time before the year expires the spirit grocer comes to get the magistrate's certificate in order to obtain a renewal of the license from the Excise. Perhaps the police inspector will say, "I know this man has put up partitions; I know that he has a spirit counter, or separated by a partition with a latched door from the grocery counter in front, and all sorts of drinking may be going on, and we have no power to detect it." Then what happens, you go to the Act of Parliament, and it says, "That on each renewal the court shall inquire into the good character of the individual and the peaceable and orderly manner in which he has conducted his house during the past year;" but the existing suitability of the premises is not referred to at all. It can only be done on the original application for granting a license; I would amend that by giving the magistrates at the licensing sessions, on an objection raised by the police, power to inquire into any structural changes that have been made in the house since the original license was granted, and if necessary, refuse the license altogether if they thought proper, or to give him the option of removing the obstructions in his premises.

2062. Do not you think that if a man made such a change as that, in that open way, with the obvious intention of evading the law, his character might be open to question?—It might, no doubt; but in a penal Act of Parliament it is very difficult for the Court to strain the law; it is an argument there is no doubt; but the expression is, "his good character during the previous year, and the orderly manner in which his house has been conducted."

2063. But his conducting the house in such a way, perhaps, might scarcely be conducting it in an orderly manner?—Perhaps that argument might be used, but I think it would be very desirable, in order to prevent any argument upon the question, to give the magistrates a distinct power of refusing the license on that ground, or directing the removal of the obstruction as a condition of granting the license.

2064. I understand that you have made those suggestions, with a view to putting down the illicit drinking which exists, and which you fear might largely increase if total Sunday closing were adopted in Dublin; do you think that any alteration in the hour of opening on Sundays would



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would be advisable, short of total Sunday closing?—I think it would be very desirable to shorten the hours still more; I would be very glad to see them closed altogether, but I fear that the result would be greater demoralisation than exists at present.

2065. What shortening would you recommend?—My idea was, until I heard Mr. Dwyer's evidence to-day, and of course he is a great authority upon matters connected with public-houses, that from three to seven or eight o'clock in summer time, and seven in the winter, would be an improvement, but from what he said to-day, it is between two and three o'clock that the riotous classes and the labouring classes send their children or their messengers to get draught beer for their dinners, in cans and jugs and vessels, and that that is the principal business done by the public-houses between two and three o'clock, and, therefore, I would not say now three o'clock, I would say two o'clock, to suit the dinner convenience of the working classes and artisans and tradespeople, and limit them an additional hour at the end. I would say give them four or five hours on Sunday, from two o'clock to six, or say seven.

2066. You would cut off two or three hours from the hours now allowed of opening?—Yes, I would.

2067. Do you think that there would be any danger of an increase of illicit drinking from that?—I think there would; I am quite sure there would; but we cannot have everything. No matter what measure you bring forward, still you cannot avoid evil from one side or another in such a case as that: no matter when you close them, there would be a danger of illicit trading afterwards.

2068. You think that on the whole you would recommend a shortening of the hours?—I would recommend that, and I would try that at first as leading the way to a better state of things.

2069. Would you apply those hours to the whole of the Dublin Metropolitan Police District?—I would, to the whole of the Metropolitan Police District. I do not know whether you would wish to ask me what my opinion might be about early closing on Saturday, but I have no hesitation in telling the Committee this, that if the consequences or injuries to licensed persons be put aside altogether, if you look to the improvement of the moral condition, the temperance, the saving of wages, and the domestic improvement of the working-classes, you should stop the drink at an earlier hour on Saturday. There is more damage done in the way of drunkenness, and violence, and disorder of every description from six o'clock on Saturday evening, up to 11 o'clock, than in the whole of the rest of the week put together; I will not say Sunday, but the Sunday inclusive, and all the rest of the week put together. I have put together a few figures upon that point. I told my Court Sergeant before I came here, when I learnt that I was to be sent for, to begin with this year. Like returns might be made for a long time, but I told him to begin with this year and then to come down to the very latest day, which was yesterday, the 13th. The returns appear to be these. On the 6th of January, from six o'clock on the Saturday morning to six o'clock on Sunday morning, the number

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of cases in the North Court for Saturday were 38 and for Sunday eight; total, 46; leaving a percentage towards the whole for Sunday of 17·4. On the 13th, Saturday, there were 34 cases, and for Sunday 16, making 50; forming 30 per cent. of the whole for Sunday. On Saturday, the 20th, there were 48 cases, and 24 for Sunday, making 72 in all, or 30 per cent. for Sunday. On the following Saturday, the 27th, there were 47 cases, and on the Sunday 16 cases, making 63 in all, or 25 per cent. for the Sunday. The next week there were 44 for Saturday, the 3rd February, and 14 for Sunday, making 58 in all, or 21 per cent. The next week there were 51 cases for Saturday alone, and the Sunday very small, there being only six, making 57 in all, and the Sunday drunkenness was only 10 per cent. of the two days. On the following Saturday, the 17th, there were 17, and 10 for Sunday, or 37 per cent.; and so it goes on, merely varying just in the like proportion; and taking the total of them all, the total was 519 for that short period which we examined from the 1st of January to yesterday, the proportion of the Sunday cases was 25 per cent. of the two days' drunkenness, or exactly one-fourth; that is the average percentage of the Sunday. Mr. Sullivan very pointedly asked Mr. Dwyer whether the trade would approve of early closing on Saturday. Of course it was a very difficult position for Mr. Dwyer to be placed in, but, fortunately for myself, I am not in that position, and I unhesitatingly say, close by all means earlier on Saturday if you want, so far as legislation can do it, to save the people.

2070. At what hour would you close on Saturday?—At present it is 11, and as it would be better not to do the thing too violently, I should say eight o'clock in summer and seven in winter, or eight o'clock all the year round. I know it is a very difficult question.

2071. Would not that interfere with the convenience of the people a great deal?—Of course, but every restriction that you put on at all would interfere with the convenience of somebody.

2072. Would you have any other restriction?—I do not know that I would. They can get drink sufficiently, or arrange to get their drink, up to seven or eight o'clock on Saturday evening, and not continue in a public-house to a late hour until 11 o'clock at night. I do not see any necessity for that.

2073. There is a great deal of drinking, I suppose, as well as drunkenness on Saturday evening?—There is a great deal of drinking certainly, more than the cases of drunkenness that are brought up would indicate.

2074. Suppose that you close the public-houses on Saturday evening at seven o'clock or eight o'clock, might not that drive people to the illicit houses?—There is no question about it. These are the difficulties; no matter how you turn you meet a difficulty.

2075. The drinking and drunkenness being at present more on Saturday evening than on Sunday evening, it would drive more people into the illicit houses I suppose on Saturday evenings, even than closing on Sundays?—I do not know, for it remains to be tried; but an argument in favour of public-houses may be used, which is that public-houses are under the constant surveillance of the police, whereas if you drive people into the unlicensed houses they will be

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away from the surveillance of the police. There will be more concealment and more violation of the law in that way, and of course that will operate badly; but view the case anyhow I will, I see nothing but difficulties before me.

2076. Looking at it from the point of view in which I present it to you, do you still adhere to your view that the public-houses should be closed at seven or eight o'clock on Saturday?—Yes; I would try that because of the amount of wasted wages, and the excess of violence and quarrelling and dissipation that take place on Saturday nights, which is positively appalling. With regard to the efficacy of penal enactments as a restriction upon drunkenness, I perhaps ought to bring under the notice of the Committee a very singular fact which I persistently watch personally as a magistrate. You may remember that when the Act of 1873 was introduced sanguine hopes were entertained of the diminution of drunkenness and intemperance by reason of the severe penalties that were then introduced. Ten shillings to a poor man is a very severe penalty, and it was naturally supposed that penalties so severe would put a stop to drunkenness, and make people less vicious and more sober. I, from my six years previous experience, had my doubts about it, but I determined, as a magistrate, that it was my duty to give full force and effect to the Act of Parliament, and I assure you that from the time that that Act came over in the month of September 1872, to Ireland (although it was passed in the month of August we only got it in September), I never ceased from that day until last Saturday, when I sat last, to inflict the full penalty of 10s. upon every drunkard brought before me and convicted. Of course there might be cases where a person was very ill, and I discharged him as sick, but in the case of high, low, and all sexes alike, and of all stages of life alike, once a man was proved before me to have been drunk, I fined him 10s. or seven days' imprisonment. You will ask me what is the outcome of all that; what benefit has it produced? Has it stopped drunkenness? I do not see the slightest approach to it. True, Dublin was less drunken last year; there were only 12,000 and odd cases. The charges for drunkenness the year before that were 13,800, and in 1873 they were 12,800. What the number will be in the present year I cannot say; they may be up to 15,000; it depends upon causes which we cannot foresee.

2077. Do you wish to see the penalty for drunkenness increased?—I do not see any use in that. It may be that others might do so, but I assure you, that after ten years and upwards as a magistrate, my opinion comes to this, not so much as a magistrate punishing the crime of drunkenness and violence, but as a magistrate sitting and hearing sanitary cases, that I believe it is utterly hopeless, and beyond the scope of legislation, to improve the condition of the working classes in Dublin until their dwellings, their homes, the places in which thousands of them live, are swept away, and proper houses built for them to reside in. As a sanitary magistrate I have come to the conclusion that anything like the vile abomination, the filth, and the squalid and helpless misery of those unhealthily overcrowded tenements is not to be found elsewhere. No tenement has a claim on the whole house; there is no such thing as labourers' cottages

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and artisans' dwellings in Dublin. Those vile buildings that were once in a good part of the town, say in the Liberties, or over on the north side, houses of three or four storeys high, which have got into the possession of horse-jockeys, who buy them cheaply and let out rooms singly in tenements to working people and tradespeople, and even respectable gasfitters and people of that kind, who live with their families in one room. Those cases come before me by the sanitary sergeants summoning the owners, and I try to compel them to put those houses in some sort of decent repair; but anything like the horrid condition in which most of those houses are you could not possibly conceive unless you were a police magistrate. Their yards reeking with filth and abomination, the halls and staircases neglected, the laths falling and the plaster falling off, and the people, let them be ever so well inclined and their ideas ever so decent, are liable to those amusements beyond their control. The hall door is generally open all night, the lobby is common to a half a dozen families, and the family in the next room may be a most miserable, squalid, and drunken lot, and what are the others to do.

2078. Do you think that Dublin is specially bad in that respect?—I believe it is the worst place in the world; at least, I cannot imagine anything worse. Now I ask myself, when I come to think of these things, if a person of education were condemned to live for a fortnight or three weeks by some fatality in a place of that description when he came home from toil, whether mental toil or bodily toil, on a Saturday night, and saw his family about him in this foul, close, and heavy atmosphere, positively one would think, as a matter of medicine, that a doctor would prescribe alcohol as a stimulant, to enable him to bear up against such foulness. I do not think that you have the slightest possibility of improving the condition of the working classes in Dublin by shutting up public-houses, for alcohol they will have as long as people have money in their pockets, and all the police in Dublin, if you were to double them, will not keep the drink out of their throats; that is my impression.

2079. I believe that you have consulted with your colleagues, the chief magistrates and Mr. Barton, upon the subject of total Sunday closing?—Yes.

2080. Are you able to tell the Committee whether, generally speaking, they agree with you on the subject of total closing on that day?—I have not personally communicated with Mr. Barton, but I understood that Mr. Barton was opposed to total Sunday closing, although he would agree to a discontinuance of the hours, and an earlier closing on Saturday. The chief magistrate is very anxious to promote the cause of temperance in every way, but, to use his own words, he thinks total closing on Sunday is inexpedient, although he would consent to a discontinuance of the hours, and also earlier closing on Saturdays.

Mr. Law.

2081. In one of your answers to the Chairman, you said that you thought it might be desirable to shorten the hours on Sunday, so as to leave the public-houses open from two o'clock until six or perhaps seven, and try the effect of that?—Yes.

2082. I

Mr. Law—continued.

2082. I presume your difficulty is the possible increase of what has been called illicit drinking?—Yes.

2083. If it were found that your anticipations in that respect were not realised, and that illicit drinking did not increase to the extent that you apprehend, would you be prepared then to shorten the hours still further on Sunday?—

2084. Assuming that no evil consequences resulted in the way of increased illicit drinking, and that intemperance or drunkenness was somewhat reduced; if you found, in other words, that the result of shortening the hours was good and not bad, would you be prepared then farther to shorten them?—Certainly I should; nothing would give me greater pleasure.

2085. Of course it is a matter of speculation?—Yes, altogether; but I am trying to reason from what I know to what I do not know.

2086. If the result was favourable to the shortening, you would proceed still further?—Nothing would delight me more than closing on Sunday, if the result justified it.

2087. I presume you would be rather in favour of beginning gradually?—Yes, certainly.

2088. At the same time you would be prepared to shorten the hours, as you have told us, on Saturday?—Yes, I look upon the Saturday drinking as the worst drinking of the whole; worse than the whole of the rest of the week; because, when the people get their wages about five o'clock, they begin to drink immediately.

2089. Would you anticipate that the interruption of the drinking by shortening the hours on the other days, and that closing the public-houses on Sundays, might assist also in stopping drinking?—The one might react upon the other so double; early closing upon Saturday might assist.

2090. Do you think that people begin to drink on Saturday, and continue it on Sunday, and even on till the Monday?—Yes, they drink up to 11 on Saturday, and many begin early on Sunday morning, so long as they have money in their pocket.

2091. You have told us that you find that a greater part of what you call illicit drinking takes place in the first half of Sunday, that is in the closing half?—Yes, in the beer-houses and illicit houses, what I call the most demoralising species of drinking.

2092. Would any part of that be attributable to the Saturday night's drinking?—I have read in the papers that some of the witnesses thought if people drank to the full the night before they would be inclined to get up and drink on the Sunday morning; I am not sufficient judge of that.

2093. Your experience of the drinking during the first half of the Sunday was to show that it was very bad?—Yes, with a certain class.

2094. Is it from the cases of drunkenness that came before you that you have formed this opinion?—It was from the licensing sessions, when these facts came out as objections to the renewal of wholesale beer dealers' licences.

Mr. Morton.

2095. From the facts that came out before the licensing sessions, did you arrive at any conclusion as to the number of illicit houses which were available for the sale of drink on Sunday morning?

Mr. Morton—continued.

ing in any particular district?—No case of illicit houses came before us at all at the licensing sessions; it was only the houses that were licensed for the period of a year, and that the police opposed the renewal of.

2096. Have you any means of informing the Committee what number of unlicensed houses there are in Dublin?—I could not form an opinion, but I think I saw in Captain Talbot's evidence that there were about 200 and 300.

2097. With regard to the closing during a part of Sunday, are you of opinion that if the closing was at seven on Sunday it would occasion an increase of drinking in illicit houses during the remainder of the Sunday evening?—I think it might; it is very probable that it would.

2098. To say considerable extent?—I cannot say; it is a most difficult matter to predicate anything as to what may take place.

2099. Are you able to form any opinion whether closing on Saturday evening and closing earlier on Sunday evening than is now the custom, would promote a greater amount of temperance than it would lead to illicit drinking?—I think whatever hour that you close up the public-houses, the intemperate of the people who think they have not got enough and who wish to go on drinking late into the night, will go to the illicit houses; but no matter what you do, you will find that they have little difficulty in getting more.

2100. What do you consider would be the effect of closing earlier on Saturday evening and closing earlier on Sunday evening; would it be this, that the moderate drinkers would be deterred from going to the unlicensed houses, and only those who would wish for drink at all hazards would go there?—I think it exceedingly possible that all the respectable classes of tradespeople and working people, when they had got their fair share of drink, and if the public-houses were closed, would be induced by their wives or their friends to go home and spend the rest of the night at home. I do not think that that class would go to the illicit houses at all; I should hope not.

Dr. Cresswell.

2101. You spoke very strongly about the amount of illicit drinking and the evils of the illicit drinking which goes on in Dublin; did I understand you to say to the honourable Member beside me that your knowledge on that point was derived entirely from your experience of the licensing sessions?—By no means; not of the illicit drinking, far as in unlicensed houses the drinking may be illicit, so it may be in a licensed house. All that comes before me in the licensing sessions are the facts of the case of illicit drinking in houses, of course licensed, but not entitling them to sell liquor on the premises, such as spirit grocers and beer dealers.

2102. How do these facts come before you?—Through the police. Under the Licensing Acts each person who is licensed is entitled to go, at the time of the year appointed for getting the next license, to the magistrates, and he has to give notice to the police.

2103. I want to know what representations on this subject were made to you by the police, or by the applicants for the licenses?—The applicant makes the application, but the police oppose on the ground that there have been gross violations of his license during the last year. Then the

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case is heard just as if it had been an original case with the penalties attached to it. The police are sworn to give evidence.

2104. Is this illicit drinking you have told us of what goes on in grocers' shops, or in shebeens?—In both, but chiefly in wholesale beer dealers. I only understand the word shebeen to be a house that is not licensed at all for anything. A wholesale beer dealer has a license to sell beer in a certain quantity specified by his license, but not to be consumed on the premises. If he allows drink to be consumed on the premises it is illicit drinking although he is licensed, that is the difference; and so also with a spirit grocer.

Mr. Maurice Brooks.

2105. In those so-called illicit houses we are given to understand that people occupy rooms and sometimes garrets?—Yes, most miserable places they are, often without a stick of furniture in them; thus supposing I find a man 51. or 41., whatever it may be, for selling drink without a license, and the officer goes to levy, he comes back and makes a return that there are no goods to be found, so that there is no alternative, he must be sent to goal, but he does not mind going to goal; he is used to it, and his wife carries on the trade all the time. You do not put down that class of people at all by convicting them, and if the whole house was swept away by confiscation the people in the next house would be rather pleased than otherwise; they would begin it on the chance that they would escape conviction. It is almost impossible to put down illicit trading in Dublin, situated as the city is with the facilities for getting drink.

2106. So that of the so-called illicit houses there may be several under one roof the property of various proprietors?—Yes, but that would be very rare; for that would perhaps attract the attention of the police. These people are very cunning.

2107. Can you inform the Committee if there are not usually the property of and managed by immoral women?—By no means; some of them may be. Of course every immoral house is a place where drink may be illicitly sold. You may take that as a matter of course.

2108. Then the closing of the public-houses would so far lead to an increase of this evil?—I think it would, for it would drive young men who at present go into a public-house, and take their beer, to houses of bad character; a number of them, not all of course.

2109. And it would increase the number of bad houses?—I do not know that. There are enough of them without any increase.

Mr. Murphy.

2110. Bearing in mind that the object of this Bill is to repress intemperance, I take it for granted that the weight of your evidence just comes to this, that the closing of public-houses would not necessarily repress intemperance?—Certainly.

2111. And that intemperance exists at the very hours when the public-houses are closed?—Certainly.

2112. Therefore, the natural inference is this, that the total closing of the licensed public-houses on Sunday would not repress drinking in those which are not licensed?—Not necessarily; that is all I say.

2113. You stated that you thought that the

Mr. Murphy—continued.

shortening of the hours on Sunday would be advisable?—I think so.

2114. And you assumed tentatively, I presume, seven o'clock?—Yes.

2115. Would you make any distinction between summer and winter?—I should make an hour's difference.

2116. Supposing that instead of going down to six o'clock or seven o'clock, at once, from nine o'clock, which it is at present, you said eight o'clock; that would probably be more convenient to the people?—I have no objection.

2117. You did not name the hours of six and seven at a fixed hour, but only as an example of what might be?—Certainly.

Mr. Braen.

2118. You have been a police magistrate, have you not, for more than 10 years?—Nearly 11 years.

2119. Can you tell the Committee whether, in your opinion, intemperance has increased amongst the population of Dublin in that time; I do not mean to say just comparing one year with the next, but has there been a great increase of intemperance, comparing the beginning of your term of office with the latter portion?—Speaking of my own experience as a magistrate, I do not think that it has increased, and I do not think that it has sensibly decreased. I do not find much fluctuation one year with the next: but taking a period of four or five years the difference is considerable. For instance, in the year 1866, there were 11,300 arrests for drunkenness, and in 1870 it went to 17,600 cases; it fell back the following year, and the last year, 1876, it is lower still, being 12,700; but higher than in 1866.

Mr. Sullivan.

2120. Are you decidedly of opinion that early closing on Saturday would be an improvement?—Yes; I have given my reasons for saying so.

2121. Can you also say that whatever we do in the way of restricting the trade, there will be some little margin of illicit trading consequent on restriction?—I am afraid so, certainly.

2122. But that the balance will be substantially on the side of good?—I hope so, but I do not know at all.

2123. Is it your opinion that the balance would probably lie on the side of good?—I have great objection to, and a great horror of illicit trading, for this reason, that in my opinion as a magistrate it more demoralises the people than the drinking that goes on in a licensed public-house under the regulation of the law, because it tends to a systematic evasion of the law, and it organises people into a systematic evasion, for they cannot do it unless there is an organised signalling system, and then you have the evil of illicit sales which, I think, are more demoralising than the sales at ordinary public-houses; I do not think that the point is to be tested by the mere fact of drunkenness alone.

2124. A good deal of illicit drinking goes on before two o'clock, does it not?—An enormous amount.

2125. Would not it logically follow from what you have just stated that it would be well to open the houses before two o'clock on Sundays?—Certainly not; nor do I think it is the logical consequence of what I say is the state of facts. I would not throw open public-houses in the morning

Mr. Sullivan—continued.

morning as well as in the afternoon, nor does it necessarily follow that they ought to be thrown open.

2126. Would not that lessen the illicit trading which you say is so bad?—Yes, it would; but it would increase other drinking. All that my proposition logically leads to is this: that by no legislation can you put down intemperance; that you must go to the root of the evil, and work upwards. You must improve the self-respect and moral condition of the people, and educate them, and train them to habits of self-respect, sobriety, and steadiness; that is the only way in which you can do it, and not by Act of Parliament.

2127. Surely you do not mean to say that we should not have an Act of Parliament to prevent Sunday morning trading until we have done all these things?—I do not say that; you have it already.

2128. But according to you it would be a mistake until we have first done these things; if I understand your last answer, you say we should not by an Act of Parliament close the houses for a certain hour on a Sunday until we have done all these benevolent things; but what is the difference between six hours before 12 and six hours after 12 as regards the Act of Parliament and all this demonstration?—If I wanted to argue, and I was giving evidence for the purpose of opening public-houses before two o'clock, no doubt it would be so; but I am not. I would be quite willing to close the public-houses all day, but I am taking the world as I find it; poor humanity as we see it; I say that these are the facts, and I leave you to deal with those facts, and to draw your own inferences. The inference that I draw is, that if there is illicit trade during the closed hours early in the morning, there will be illicit trade if you close in the afternoon. I do not want to draw any inference further than that.

2129. Do you think that on the whole, taking into view this extensive illicit trading before two o'clock, it is any gain to the city to have the houses shut up till two?—I think it is with regard to the better class on the whole.

2130. Although all this illicit trading takes place?—Yes, because I think that the illicit trading is confined to the very lowest class of people—workpeople who work at the docks, and get their wages from day to day—not the regular artisans and the tradesmen. But what I would be afraid of is, that you might drive the more respectable class, if you shut them out all together and give them no safety-valve, into the illicit houses.

2131. You are not, however, prepared to say that earlier closing on Saturday evening would on the whole have a good effect?—I think it would, and I think I said so, only I am not prepared to say but that it may lead to illicit drinking.

2132. Do I take it that you have admitted, as well as other witnesses, that there would be some margin or extent of illicit trading from any repression of intemperance?—Certainly.

2133. But you think that a balance of good on the whole would prevail if we shorten the hours on Saturday evening?—I myself hope so; and, therefore, I recommend it, but to do more than hope so I cannot in a matter upon which I cannot form a decided opinion, especially in

Mr. Sullivan—continued.

the matter of drink; although I hope so most earnestly.

2134. I have no doubt what your answer will be to this question. I suppose that you would be very glad if you could find from experience that your apprehensions as to the evils of Sunday closing were not borne out by experiment if it was tried?—I should be very glad, indeed; no man more so.

2135. Would you be glad to find evidence of the magistrates in cities where there was Sunday closing, saying that their like apprehensions had failed?—I should, certainly.

2136. Of course you would recommend the Committee to place great weight upon the evidence that would be given by the magistrates who had actually tried it in large cities?—Yes.

Mr. Marten.

2137. If you were referred to the evidence of magistrates who have had experience, I presume you would attach greater weight to their evidence, provided that they had had experience under like conditions which might exist with regard to the question now under consideration?—Yes, I assume that to be a condition of the question.

Mr. Sullivan.

2138. The condition should be a large populous city as nearly as practicable in the same condition as Dublin?—Yes.

2139. I need hardly say that a magistrate giving evidence to a public Committee as you are, would feel bound to give it from all his judicial knowledge and experience?—Certainly, I would accept that gentleman's testimony of the facts within his experience, with the most entire faith.

2140. Is it not the fact that the imposing of penalties upon the helpless drunkard has been a failure in the attempt to repress drunkenness?—That is my experience. I have said so.

2141. Is it not a fact that whether you send a man to gaol, or whether you fine him a week's wages, there is a feeling that one is punishing a large number of people?—Yes; that is the reason why I feel it so deeply; and I have always with pain carried out the Act in order to give it its full effect. I know it to be the fact, that a working-man was seldom saved from gaol but that the money came out of the stomachs and off the backs of his unfortunate children, and sometimes their bed-clothes and things in the room would be pledged to get the bread-winner out of gaol.

2142. Then those who say that the right way for us to go to work is to increase the penalty on drunkards; have not your knowledge and experience to lead them, because your knowledge is, that it does not prevent drunkenness, and it strikes the children and the home?—That is my opinion in particular cases, of course; but as a general rule, taking the thing over a vast field, covering a great many people of all classes, I do not see any diminution in drunkenness from the imposition of that fine of 10s., while I do know that it entails a vast amount of misery and wretchedness upon the family.

Chairman.

2143. I think that Mr. Woodcock, referring to the case of the excursionists, did not quite approve of the proposed exception in favour of the *land side* travellers, if the total

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Sunday closing became law, but suggested a power to the Chief Commissioner of Police to license certain selected houses in certain places, and allow them to be open on Sundays, as he now allows them in the case of the markets; do you concur in that opinion?—Quite so. I think that the magistrates are not at all competent to make selections, but it comes quite within the province of the inspectors of the police and the Chief Commissioner, because they know the particular circumstances and the situations of the houses, and the character of the people, which we, the magistrates, do not. We know nothing but what comes before us in the court, and we have nothing to say to the police any more than to any other part of the community.

2144. If total Sunday closing were adopted in Dublin and the metropolitan district, do you think that such an exception would be better than a proviso in favour of *land side* excursionists?—I do not know. I do not think that there are many on Sundays. I could only apply my own experience, and I do not think that people come into Dublin on Sundays. I think they go out from Dublin.

Chairman—continued.

2145. Say within the metropolitan police district?—Unless at Kingstown, I do not know any place where it could apply. I have no personal experience; I do not like to give an opinion where I have no experience. The *land side* traveller question never came before me, except in some cases that arose from people landing from the steamer at the North Wall, where they go to the houses in the adjoining streets, lodging-houses and places of that kind, and people have been summoned before me, licensed parties, for selling to those people at prohibited hours, and the defence set up with regard to those people was that they had come out of the steamer that had just arrived, the Bristol steamer, the Liverpool steamer, or any other, and that they were *land side* travellers; and in all cases where they proved that those people had come from the steamer, I held that they were *land side* travellers. But, of course, if the police proved that others were there, and that they were there for the purpose of getting drink, I convicted the licensed party; but beyond that, I really have no experience.

Friday, 16th March 1877.

MEMBERS PRESENT:

Sir Michael Hicks Beach.  
Lord Charles Beresford.  
Mr. Maurice Brooks.  
Mr. Bruce.  
Dr. Cameron.  
Colonel Cole.

Mr. Ion Hamilton.  
Mr. Law.  
Mr. Murphy.  
Mr. O'Shaughnessy.  
Mr. Sullivan.

The RIGHT HONOURABLE SIR MICHAEL HICKS BEACH, BART., IN THE CHAIR.

Mr. THOMAS WALLACE RUSSELL, called in; and Examined.

Mr. LAW.

2146. You hold some office in connection with the Sunday Closing Association, do you not?—I am Secretary to the Irish Sunday Closing Association.

2147. Have you attended any public meetings in Dublin in favour of this measure?—I think I have attended every public meeting convened by the association during the last four years.

2148. Was there a meeting at the Mansion House in 1872?—Yes.

2149. What class of people attended that meeting?—The attendance was somewhat mixed, but it was mainly composed of the merchants of the city, the mercantile classes.

2150. Was that the meeting at which Mr. Keegan was present?—Yes.

2151. I believe he is secretary to some of the trades bodies?—He was at that time secretary to a body called the United Trades Association.

2152. Were resolutions proposed at that meeting in favour of closing public-houses on Sundays?—Yes.

2153. Was any amendment proposed?—Mr. Keegan proposed an amendment.

2154. Will you tell the Committee what took place?—Mr. Keegan complained that the meeting was held at an hour at which the working classes could not attend.

2155. What hour was it held at?—Three o'clock in the afternoon.

2156. On what day?—On a week day.

2157. When Mr. Keegan so complained, what happened?—I sympathised with Mr. Keegan's objection, and the honourable Member for Louth, who was on the platform, also sympathised with it, and we asked Mr. Keegan to allow the resolution to be passed, and that we would undertake to hold a night meeting if he would guarantee half the expenses, and he said that he had no funds for any such purpose. I then guaranteed to pay the entire expenses of this night meeting. Mr. Keegan accepted the proposition, and the meeting was convened for a night about a week after this meeting, at eight o'clock, in the Mechanics' Institute. The hall was densely crowded with working men. Mr. Keegan and other members of the United Trades Association proposed amendments against Sunday closing at that meeting.

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Mr. LAW—continued.

ing, and delivered long speeches which lasted till nearly 12 at night, and when the vote was taken on all the amendments, the voting was something like fifty to one in favour of Sunday closing.

2158. Who presided at that meeting?—The honourable Member for Louth.

2159. That, I understand, was about a week after the meeting you have first spoken of, at the Mansion House, in the year 1872?—Yes.

2160. Have there been any public meetings in Dublin in favour of the closing of public-houses on Sunday since the year 1872?—Yes, very frequently.

2161. Can you give the Committee the times and places of some of those subsequent meetings?—There were two very large meetings held in the Phoenix Park in the open air; the one was in May 1875, and the other was, I think, in May 1876.

2162. Were you present at both meetings?—I was not present at the two Park meetings; I was in London when they were being held; There have been large meetings held in the Rotunda in the Round room.

2163. Can you give me the dates of those meetings?—There was one meeting held in October 1874, at which the room was crowded, and large numbers were unable to gain admission.

2164. What class of people attended it?—Three-fourths of them were of the working classes.

2165. Were you present?—I was.

2166. Who presided at that meeting?—Alderman Pardon, acting for the Lord-Mayor, who was in London.

2167. Were there resolutions proposed in favour of the closing of public-houses on Sunday?—Yes.

2168. Were any amendments proposed?—Some disturbance took place by opponents, but no amendments were proposed.

2169. Were resolutions carried?—Yes, they were carried.

2170. Without any amendment being moved?—Yes.

2171. Was that the last public meeting in Dublin?—In the city proper, that was the last that I have attended.

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2172. When

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Mr. Low—continued.

2172. When before that had there been any in the earlier part of that year?—They had been held almost constantly; probably every two months or so a meeting of some kind or another, was held either in the Mechanics' Institute, or the Rotunda, or some other public building.

2173. I am asking chiefly about the meetings attended by the working classes?—They were all attended by the working classes.

2174. Who generally took the chair?—Sometimes a working man took the chair, at other times the Lord Mayor, or some prominent citizen; Mr. Thomas Pin, Junior, took the chair at one meeting in the Mechanics' Institute about 12 months ago.

2175. Can you give the Committee the names of any of the working men who took the chair on any occasion?—Mr. John Mooney.

2176. What is he?—He is an engineer employed at the Great Southern Railway works at Inchicore.

2177. Was that a meeting at the Mechanics' Institute?—Yes.

2178. When was it held?—About two years ago. Those are all special Sunday closing meetings; I make no reference to ordinary temperance meetings to which Captain Tallot referred, and which had nothing to do with Sunday closing.

2179. About how many public meetings besides the two in the Phoenix Park that you spoke of, have there been in Dublin in favour of Sunday closing within the last four years?—I should say about a dozen large demonstrations.

2180. Were they for the most part attended by bodies of the working classes?—Almost entirely.

2181. I presume you have some knowledge of the mode in which the house to house canvass was conducted in the last couple of years?—I superintended that canvass.

2182. Taking Dublin, will you just tell the Committee in what way it was conducted?—The first thing that we did was to get an Ordnance Survey Map of Dublin, greatly enlarged so as to represent every street, and lane, and court in the city. We cut that map into wards; we then cut the wards into sections, and we placed a section in the hands of each canvasser, and he left voting papers (of which I have copies here) at every house.

2183. What class of people were the canvassers; how were they chosen?—Some of them were retired head-constables, others of them were clerks, who had been known to us for many years and whose characters we always thoroughly investigated.

2184. What were their instructions, and were the instructions given to them in writing?—The instructions were given to them printed. First: See that at each house and room in which there is a tenant, in every street, lane, court, and yard, in the district marked on the other page, one of the printed forms is left, asking that it may be signed and filled up, so that there may be no delay when you call. Second: call the next day after leaving the form and ask for it again. Third: be careful that none sign but householders or room-keepers, male or female. Fourth: be careful that every one is left perfectly free to express his or her unbiased opinion. Fifth: see that each paper is signed, and where the parties are unable

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to write, their mark should be witnessed thus,\* and instruction is given as to witnessing the mark. The canvassers each received a copy of these instructions.

2185. I presume that the reference to the plan or section upon the other side was part of the map that you speak of?—Yes; part of the map pasted on the other side.

2186. The canvassers, I suppose, then brought back such answers as they got?—The canvassers left a voting paper in each of those places, and called for it the next day, and brought in a report every night at six o'clock. I have got a copy of the voting papers, and I will hand it in (*handing in the same*).

2187. Did each of the canvassers make any declaration as to his having conformed to the instructions?—Each made a statutory declaration when his work was completed, before the magistrate at the police court: "We, the undersigned, do solemnly and sincerely declare that we conducted the house to house canvass in the town of [ ] on the question of the closing of public-houses on Sunday in Ireland, and that we did so honestly and impartially, asking for, collecting, and recording those opposed to Sunday closing with the same care that we did those who were in favour of the same."

2188. And these voting papers having been collected and brought in, the result was calculated?—The result was tabulated each day, and then summed up in gross.

2189. What was the gross result as to Dublin?—Twenty-five thousand and seventy-two householders voted Yes, and 3,104 voted No.

Mr. Jos Hamilton.

2190. Was that within the city or the metropolitan district?—It was within the municipal district.

Mr. Low.

2191. Was there any canvass outside in the metropolitan police district?—Yes; Kingstown, Rathmines and Rathgar, and Pembroke, have been canvassed since.

2192. That was this year, I suppose?—Yes; but in the figures given I was speaking of the municipal district canvass of last year, the city proper.

2193. Can you give us the result of the canvassing in Kingstown this year; was it conducted in the same way?—Precisely in the same way; 2,733 voted for closing, and 248 against. There were 505 cases in which no return was received. We tabulated these in the last canvass, from which we got no return; we only took Yes, and No in the previous canvass; but in the last canvass we also kept a return of those who did not sign at all, of whom there were 505 in Kingstown. We kept no record of this class in Dublin in the first canvass.

2194. In Rathmines how many were there?—Three thousand five hundred and sixty-one voted Yes, and 192 voted No; from 466 there was not any return.

2195. How many in the Pembroke township?—In the Pembroke township there were 2,548 voted Yes, and 308 No, and 574 no return.

2196. Is there any other district in which you canvassed outside the city proper?—No.

2197. Does the Pembroke township include Denybrook?



Mr. Law—continued.

Donnybrook?—Yes; and Sandymount and Irish-town.

2198. There was a distinct canvass made in the city of the publicans?

2199. Just give the Committee the result of the voting of the publicans themselves?—The voting papers for the licensed traders were printed on yellow paper, of which this is a copy; it is the Belfast one; it is the same paper (*describing in the case*). That is the way we took to tabulate the licensed traders' vote, by sending a yellow paper.

2200. Were the instructions the same to the canvassers?—Quite the same.

2201-2. Do these licensed traders that you speak of include publicans, spirit grocers, and beer sellers?—Owing to the police not having enforced the 11th section of the Licensing Act of 1873, we had no means of knowing the spirit grocer from the publican. We endeavored for three or four years to get the police to enforce that section, but it was not until we waited upon the Chief Secretary that it was enforced, and then we could find out by the description above the doors who was a spirit grocer and who was a publican.

Chairman.

2203. It is not quite a correct statement, that that section does apply to spirit grocers?—They have put it up now, at all events; we had no means of knowing which was a spirit grocer's establishment and which was a publican's, because the description was not up above the publican's door; if it had been up above a publican's door we would have known, and if even it had not been above a spirit grocer, we would have known by its absence that he was a spirit grocer.

Mr. Law.

2204. What I want to know is if this canvass with the yellow paper included all classes of liquor sellers, or only publicans proper?—It covered all sections of the licensed trade.

2205. You did not distinguish them?—No, we did not.

2206. What were the numbers of the Dublin liquor dealers?—Three hundred and forty-one voted for closing, and 229 against, in Dublin.

2207. Of course you have not classified them in any way, for the reasons that you have mentioned?—No, we have not been able to classify them.

2208. Have you the numbers that gave no answer?—No; I am speaking now of the original canvass that we made.

2209. Can you give us a similar statement of the numbers in the townships of Kingstown, Rathinees, and Penrhoke?—In Kingstown 27 voted for closing, 22 against, and 27 no return; in Rathinees 23 voted for closing, 4 against, and 8 no return; in Penrhoke 13 voted for Sunday closing, 37 against, and 10 no return.

2210. Does that exhaust the houses to house canvass in Dublin and the townships?—It does.

2211. Will you give us the figures for the other towns that we are dealing with; take Cork first, of which the canvass was made, I believe, last year?—Yes, last year; 9,172 householders voted for closing in Cork, and 1,499 against.

2212. Have you the publicans separately there?—Yes.

2213. Are they included in the first numbers?—Yes, they are.

0.59.

Mr. Law—continued.

2214. Now will you give them separately?—Twenty-nine voted for Sunday closing, and 126 against.

2215. How many gave no return?—That was the original canvass again. In Belfast, 23,277 householders and room-keepers voted for closing, and 2,809 against, and of the licensed trade, 232 voted for closing, and 142 against. In Limerick, 5,293 householders voted for closing, and 632 against; of the licensed trade, 92 voted for closing, and 191 against. In Waterford, 3,425 householders voted for closing, and 195 against; and of the licensed trade, 60 voted for closing, and 36 against.

2216. I presume, when you use the expression householders in these towns, you use it in the same sense as in Dublin, you use the term room-keepers?—Yes, in quite the same sense.

2217. Have you any figures as to the numbers who did not vote?—Not as regards those towns that were canvassed last year; in our canvass this year we profited by the mistake that we made the previous year, and we kept a return of those who did not vote.

2218. Do you know the number of papers that were issued?—Yes; but that is a very unreliable return, because in some cases we had to leave two or three papers before getting a return; that would be very misleading.

2219. Those towns that we have been dealing with, Cork, Belfast, Limerick, and Waterford are all last year's canvass?—Yes.

2220. And the same with the city proper?—Yes, the same with the city proper; that makes a total for the five towns of 68,243 for, and 8,239 against. Londonderry was also canvassed, but it is not in the reference.

2221. Petitions, I believe, have been presented from Dublin in relation to the Sunday Closing Bill?—Yes.

2222. Were any presented this year?—Yes.

2223. How were the signatures obtained?—Partly by a canvass, and partly by volunteer effort.

2224. When you say volunteer, where did the petition lie for signature?—In several of the large establishments where working men are employed in some cases, and in others at working men's clubs, and various places and shops.

2225. There have been petitions from other towns too, have there not?—Yes, there have, and I have the returns for last year and this year.

Mr. O'Shaughnessy.

2226. I understand that the canvasses which you made in Dublin, Cork, Limerick, and Waterford were canvasses of householders?—Of householders and room-keepers, that is, so far as the phrase room-keeper is understood in the other cities as it is understood in Dublin.

2227. Can you give me the names of your canvassers in Limerick?—No, I cannot; I did not superintend the Limerick canvass.

2228. Will you be kind enough to make inquiries when your examination is over, and let the Committee know on the next day the names of the persons, and in far as you are the previous occupations of the individuals that canvassed in Limerick?—Yes, I will inquire about that.

2229. Do you know whether the canvassers were natives of Limerick, or residents there?—My impression is that some of them were.

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2230. And

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Mr. O'Shaughnessy—continued.

2230. And some were not?—Yes.

2231. How were your chances able to ascertain how many heads of families there were in a house in one of those towns?—It was a very difficult operation; they had to do their best to find it out, and leave papers with each.

2232. But you are liable to be mistaken, are you not?—Certainly.

2233. The numbers in Limerick were so far as you can make out, 5,292 in favour, and 432 against?—Yes.

2234. Six hundred and thirty-two then would represent about one-ninth of the persons whom you succeeded in getting votes from?—Yes.

2235. Therefore one-ninth of the proportion of the householders whom you were able to get votes from in Limerick protested against total closing of public-houses on Sunday?—Certainly.

2236. Do you not think that the one-ninth if you had put to them the proposition of partial Sunday closing would have been with you?—I can form no opinion upon that.

2237. Can you form any opinion as to whether they would have been more likely to have been with you than in your proposal of the extreme measure of total Sunday closing?—I can form no opinion.

2238. I suppose you can form no opinion either as to whether the 5,292 men who signed in favour of Sunday closing would have preferred to sign in favour of partial Sunday closing if such a proposition had been offered to them?—I cannot.

2239. Although you have given this matter a great deal of consideration?—Yes.

2240. And although the proposal of partial Sunday closing has been talked of, and from time to time discussed?—It has not been discussed in Ireland that I am aware of.

2241. Of course, you are acquainted with the general history of legislation on this question, and in Ireland?—Yes, I am.

2242. And you are aware that in dealing with the great body of constitutional matters, the course of history has been to legislate gradually, and to reform by degrees; is not that so?—I am not aware that it is always so.

2243. I say the general course of things?—I think that you are right, generally speaking.

2244. Will you give me your reasons for thinking that this question of the liquor traffic is to be an exception to what is the general rule of legislation with regard to matters in these islands, namely, that reform should proceed by degrees?—I think that the opinion of the people of Ireland is in favour of striking off the whole of Sunday, simply because a large majority of the people consider that the publicans have a privilege on that day that no other trader has, and that they ought not to have.

2245. Do you think that it is in order to put down unjust privileges of traders that they have formed that opinion?—I think that is partly the feeling in Ireland.

2246. Can you give any reason as to why, when you were engaging in this attempt to put down Sunday drinking, you did not commence by suggesting partial Sunday closing before you proceeded to appeal in favour of total Sunday closing?—Yes, I can give you a reason; the reason why an association was formed to promote total closing in Ireland on Sunday was twofold; first, because the plan had been adopted in Scot-

Mr. O'Shaughnessy—continued.

land with gratifying success; and, secondly, because throughout a considerable district of Ireland total Sunday closing had been enforced by the Catholic bishops. Acting upon those two facts, the association was formed; they were not in favour of partial Sunday closing, but of total Sunday closing.

2247. Your first reason was reliance on the success of the scheme in Scotland?—Yes.

2248. Of course the validity of that reason depends upon the truth of the alleged success?—Certainly.

Mr. Maurice Brooks.

2249. When you say that the people of Ireland are opposed to the exclusive privileges of spirit sellers on Sunday, do you not know that every trader in every village in Ireland who sells spirits sell also the tea, the sugar, the bacon, and the tallow of the villagers?—That is true to a tolerably large extent.

2250. How do you reconcile that statement, then, with your other, that the people are opposed to the traffickers in spirits because they have an exclusive privilege?—They sell those things merely because they sell drink. If the shop was not opened for the sale of drink it would not be open for the sale of those things, and the other traders look upon that as an injustice to them.

2251. Do you mean that the villagers who, after they have been to church on Sunday, in every village throughout the south of Ireland, buy their tea, their drapery, and their tallow, go there in the afternoon for spirits?—I do not think that it is at all true that Sunday trading in other articles in Ireland is so universally carried out as you suggest; I do not think it at all true; it is more the exception than the rule; it is true to a certain extent, but to a limited extent.

2252. That is your opinion?—That is my opinion, founded upon a very intimate acquaintance with Ireland.

2253. I would ask you to take this voting paper in your hand, and read that which is upon the back of it (*Annexing a paper to the Witness*); the printed matter upon the back of this, I suppose, is placed there with a view to inform the signatories on the other side?—Yes.

2254. Will you kindly read the first paragraph?—The paper is headed, "facts connected with Sunday closing; first, since the year 1853, the sale of intoxicating liquor in Scotland on Sunday has been illegal. In 1871, with public-houses closed, three millions and a-half of people in Scotland drank less than two millions and a-half in 1853 with public-houses open on Sundays."

2255. Here is a paper which was presented to Members of Parliament the day before yesterday, and it is called "a summary of facts and inference in support of second reading of Sir Robert Anstruther's Suspensory Bill." I will ask you to read the first paragraph of that (*Annexing the same to the Witness*)?—It is a paper issued by David Anderson, convener of deputation from Scotland, in favour of Sir Robert Anstruther's Bill. It is not a Parliamentary paper at all. It says, "It is a clearly established fact, that notwithstanding the educational facilities in Scotland, drunkenness is alarmingly on the increase. Example: In Edinburgh, the numbers of apprehensions of persons (1) drunk and incapable, and (2) drunk when apprehended

for

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for crime, have (taken together) increased from 5,106 in 1870 to 6,825 in 1875; an increase of 34 per cent., while the population had only increased 5 per cent."

2256. How do you reconcile that statement with this statement that you have presented the traders with?—You will observe that this statement here on my paper has nothing to do with drunkenness; it simply deals with the fact, that less whisky was consumed in Scotland by three and a-half millions of people in the year 1871 than was consumed by two and a-half millions of people in the year 1861, and that is a fact taken from the excise returns.

2257. You do not dispute that, although the consumption of whisky has diminished, cases of drunkenness have increased?—I do not give any opinion, because I do not know.

2258. With regard to Sir Robert Anstruther's statement, who is one of the advocates of restriction, is that incorrect?—Sir Robert Anstruther has made no such statement; that is not his paper.

2259. That is a paper circulated in order to promote Sir Robert Anstruther's Bill?—That is not Sir Robert Anstruther's statement.

2260. Do you dispute that statement?—I give no opinion upon it.

2261. Then the fact which you have given to the people whom you have requested to sign this paper, as to the increase of the sale of intoxicating liquor in Scotland, is in conflict with the statement which is presented to Members of Parliament to induce them to vote for further restriction?—We have given a fact with reference to the decrease in the sale of intoxicating liquors, not as to the increase.

2262. You are in conflict as to the effect produced since Sunday closing became law in Scotland; do you now say that drunkenness has decreased?—We have simply stated a fact upon that paper taken from the excise returns issued in Scotland. That fact is that Scotland, with a population of two and a-half millions in the year 1861, consumed more whisky than Scotland, with a population of three and a-half millions in 1871, did.

2263. What do you suppose that the people got drunk upon, the increase of drunkenness being established; do you think it could have been upon whisky or porter, or ale?—I give no opinion upon that.

2264. I will ask you to read this extract from the report of the chief constable of Ayrshire, for the year ending 31st December 1875?—"Offences against the person and disturbance of the peace are still the class of crime in which there is the greatest increase, and the cause may be observed in the number of persons found drunk and incapable, under which head there was a marked increase during last year. A careful examination of the detailed reports of crime shows that 85 per cent. of this class of offences is directly and clearly the result of drunkenness." I should be inclined to agree with that.

2265. Will you read that paragraph to that effect which you gave to the Irish people whom you asked to sign this paper?—"The arrests for drunkenness in Edinburgh, Glasgow, and other large towns, on Sundays, have gone down 80 per cent. since the public-houses were closed, and the Act has the entire sympathy and approval of the Scottish people."

0.59.

Mr. Maurice Brooks—continued.

2266. Do you think that that statement influenced the persons who signed this paper?—I am not aware that it did; it was meant to influence them.

2267. I find on this paper six signatures; amongst the first is my esteemed friend Mr. David Drummond; is Mr. David Drummond a native of Ireland or Dublin?—I am not aware where he is a native of.

2268. Are you not aware that Mr. David Drummond is a native of Scotland?—I am not aware of my own knowledge that he is.

2269. What is your belief?—My belief is that he originally came from Scotland.

2270. What is Mr. Wigham?—Mr. Wigham I know to be a native of Scotland; he is a member of the firm of Edmundson & Company, Capel-street.

2271. Where is Mr. Nicolls a native of?—Mr. Nicolls is a native of Longford.

2272. Then, Mr. Russell?—That is my self.

2273. Are you a native of Ireland?—I am a native of Scotland.

2274. Then of the six half the gentlemen who propose these social changes in Ireland, one-half are Scotch?—Sir Dominic Corrigan, the president of the Association, who signs this paper, is an Irishman; Mr. Thomas Pim, junior, Chairman of the Executive, who signs it, is an Irishman; Mr. Drummond I believe is a Scotchman, he is the treasurer of the Association; Mr. Henry Wigham, one of the honorary secretaries, is a Scotchman; Mr. Archibald J. Nicolls is an Irishman, a native of Longford; and I am the secretary and a native of Scotland.

2275. Are not one-half of the signatories to this petition, who would desire this social change in Ireland, Scotchmen?—Certainly.

2276. May I ask if you can offer to the Committee any hope that the gentlemen with whom you act, in desiring to have Sunday closing in Ireland, would accept this measure as any more than an instalment of what they believe to be a righteous claim to put an entire stop to the traffic in drink in Ireland?—I can give a very emphatic answer to that question; I believe that the moment that this Bill is carried the Irish Sunday Closing Association will be dissolved and cease to exist.

2277. I will repeat the question if you please: Will your friends accept the Sunday Closing Bill as any more than an instalment of what they believe to be a righteous claim to put an entire stop to the traffic in drink in Ireland?—The great majority of the supporters of the Sunday Closing Association are totally hostile to putting a stop to the sale of intoxicating liquor on other days.

2278. I am afraid I must repeat my question: I ask you again if those gentlemen with whom you act will accept the Sunday Closing Bill as any more than an instalment of what they believe to be a righteous claim to put an entire stop to the traffic in drink in Ireland?—In the first place those with whom I act in this matter do not claim to put a stop to the sale of drink in Ireland, and therefore I can only give you the answer that I have given; I am here as the secretary of the Irish Sunday Closing Association, and the great majority of that Association are totally opposed to other measures dealing with this traffic, and would be perfectly satisfied with this Bill; I think

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think that I am giving no clear an answer as I can give.

2278. How far would you further proceed with restrictive legislation as concerns the traffic in drink in Ireland? I ask you not as the secretary of the Irish Sunday Closing Association, but as an advocate of temperance in Ireland?—I have been considering the case which you and other opponents of Sunday closing have made for Saturday night closing, which is one further step, and I should be prepared to support Saturday night closing.

2280. Would you rest there?—I should be largely influenced by the result.

2281. Will you kindly tell me by what results, and how you would be actuated?—If Sunday closing and Saturday evening closing diminished drunkenness to such an extent as to greatly mitigate the evils that exist now, I do not think that you would get a public opinion in Ireland to sanction further legislation of that kind.

2282. Some allusions have been made to the money expended by the licensed victuallers in opposing this Bill; may I ask you what sum has been contributed in Scotland, and in England towards the promotion of this social change in Ireland?—I can best answer that by giving you the revenue of the Association for the last three years, and then I will tell you how much I think has come from England and Scotland in that matter; in the year 1873-74 the total revenue of the Sunday Closing Association was £601, speaking roughly; in 1874-75 the total revenue was 1,500*l.*; in 1875-76 the revenue was 2,109*l.*; during the last year I have made a calculation, and I find that we derived 300*l.* out of the 2,109*l.* from England and Scotland.

2283. How was that money expended?—It was expended on the house-to-house canvass, in holding public meetings, in salaries for the office, for the secretaryship, and for all the general purposes of the agitation, all of which are detailed in the annual report; we publish our reports.

2284. Has that been contributed in part or in any considerable part by the working classes?—We have working men subscribers, but certainly the great bulk of the money has come from people who cannot be fairly called working men in the sense that you understand it.

2285. Would you venture to give us any estimate?—I should say that the working classes as a whole have contributed very little.

2286. Do I understand you to say that this change in the law is required by the large class of moderate drinkers who practise no excess?—I hardly understand you; if you mean to ask me if the large class of moderate drinkers who practise no excess ask for the law, I say certainly.

2287. I assume that we have three classes of persons who use public-houses in Ireland. There are confirmed drunkards, the men who sometimes get drunk, and the overwhelming mass of people, for there are 40,000 of them who go to public-houses on Sunday who do not get drunk, and therefore who must use this drink moderately; I ask if it is your opinion that this overwhelming proportion of moderate drinkers are in favour of this legislative restriction?—Yes, that is my opinion.

2288. Is it that they are so benighted or so unintelligent that you think that a coercive measure is necessary?—No, but they feel so

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acutely the mischief wrought by Sunday drinking that in my opinion the overwhelming majority of them are willing to sacrifice their privileges and one of their rights for the welfare and good of their class.

2289. Is not the evidence, seeing that they themselves support public-houses, directly opposed to that theory of yours?—No, I think not; I am afraid that the right to do ill deeds often makes ill deeds done.

2290. With regard to the meeting in the Mansion House, Mr. Keegan I think you said was the name of the gentleman who protested against the hour at which that meeting was held, as not being one at which the working men could attend?—Yes.

2291. Does Mr. Keegan fairly represent the working men?—I should say not.

2292. I mean is he not a representative man of the working men?—I do not think that the working men would put him forward to-day as their representative.

2293. Is he not the paid secretary of various societies of working men?—He is secretary to a few societies that are complemented together as the United Trades Association, but the bulk of the trade societies of Dublin do not recognise him, nor would the bulk of the working men outside the trade societies.

2294. He is selected and paid by them, is he not?—He is their secretary; as to the payment, I cannot tell.

2295. Who selected him?—Those societies that are federated under that title.

2296. Are they working men?—Yes.

2297. Therefore is he not justified in speaking on their behalf?—Yes, on their behalf, certainly.

2298. Still you say that he is not a representative man?—I say that he is not a representative of the working men in Dublin as a whole, and they would not say that he was.

2299. You mean that he would not be selected by them unanimously?—I mean this, that the United Trades Association is not considered to represent the trades of Dublin in any way; it is a very small body considering the number of trade societies that there are in Dublin. The vast bulk of the trade societies are not connected with it at all.

2300. Is there any other body of working men so large?—I should say that there are some single trades that would outnumber the whole federated trades in the United Trades Association put together.

2301. I cannot understand how the confederation of the whole are less than a single trade would be?—It is not a federation of the whole; it is a federation of a few; I do not say that it is a federation of the whole.

2302. Do they not represent tailors as well as other trades?—Certainly not.

2303. Can you say, with regard to the public meetings at which there was no opposition at all given either by the victuallers or the artisans to this Sunday Closing Bill, that they were chiefly attended by members of temperance societies?—I never said that there was a Sunday-closing meeting held at which there was no opposition given. On the contrary, I never remember there being one held in support of Sunday closing that there was not opposition.

2304. I mean a disturbance?—There has always been

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been a disturbance by a few at every meeting held.

2305. Were those meetings chiefly attended by members of temperance societies?—Certainly not.

2306. When you say the Lord Mayor took the chair, do you know whether the Lord Mayor was himself a total abstainer?—I am not aware of the personal habits of gentlemen, but I do not think that teetotalism is a characteristic of lord mayors in general.

2307. Is it not the practice of lord mayors to take the chair when a requisition is presented to him, no matter what the subject may be?—I think that it is the practice of the Lord Mayor to take the chair when a meeting is convened to consider a question, but I do not think that a lord mayor who knew his duty would convene a meeting either to support or to protest against a measure; I think that it is the duty of the lord mayor to convene a meeting to consider a question on both sides, but a meeting on either one side or the other I do not think a lord mayor would convene who knew his duty.

2308. Then there is no special importance to be attached to the fact that the lord mayor in his official capacity attended a meeting?—I think not.

2309. Do you know if Mr. Mooney, the working man who took the chair at a public meeting, is a total abstainer?—He is, and a very old one of 36 years' standing.

2310. And he desires to make all the other working men total abstainers on Sunday, and therefore he supports the Bill?—He desires more than that, he would like to see them total abstainers on every day, that is his desire.

2311. You think that, notwithstanding his being a total abstainer, he fairly represents the working man?—The working man elected him to take the chair; they moved him to the chair themselves; I had nothing to do with the matter; if the meeting elect a chairman I cannot alter it.

2312. Do you mean that he was elected at the meeting, or was he elected to take the chair at a preliminary meeting?—He was elected at the meeting.

2313. Was not that matter arranged at a preliminary meeting appointing the chairman?—No.

2314. With reference to these voting papers, can you say what per-centage has been signed by women?—I have not examined the papers so minutely as that; there are a large number of women householders and room-keepers, but I am not in a position to state what per-centage has been signed by women.

2315. Would you be surprised to hear that more than one-half of them have been signed by women?—Very much surprised indeed.

2316. Would not the wives of the most temperate men naturally wish to close the public-houses which their husbands resort to on Sundays?—Yes; but the papers were left all day and all night, and the working men had an opportunity of seeing them when they came home. They were not handed in and signed on the spot; they were handed in and left for a whole day and night, and called for again. There is a paragraph upon them, "This paper will be called for."

2317. Do I understand your answer to be that the women would not sign in favour of closing public-houses?—Most certainly they would.

0.59.

Mr. Maurice Brooks—continued.

2318. Amongst the spirit grocers who voted in favour of this Bill, are there a large number who never supply the working men with spirits, such as Kinahan and Findlater?—I am not aware that a large proportion of the spirit grocers voted for closing. You are assuming a thing that I have not said.

2319. Amongst those voting papers, I understood you to say a great number of spirit grocers were in favour of Sunday closing?—I did not say that. I was asked by the honourable Member for Londonderry if I had any means of distinguishing spirit grocers from publicans in the voting papers, and I said I had no means, and therefore I cannot assume that a large number of spirit grocers voted for Sunday closing. I say that 234 licensed traders voted, but as to the description of licensed traders I cannot tell what they were.

2320. We will say licensed traders, if you choose that term; amongst the licensed traders, do you include the traders who never sell on Sunday themselves, such as Kinahan and Findlater, who never supply working men?—Certainly, the vote was taken of the licensed traders as a body, without any distinction whatever.

2321. Are there not a large number of licensed traders in Dublin who supply the upper classes, and who sell no drinks or no small quantities?—I think there are a few houses of that character in Dublin.

2322. Would you say only a few?—I am not aware of very many.

2323. Can you inform the Committee of the percentage of licensed traders who never open on Sunday?—We have got it from Captain Talbot, that 63 do not open on Sunday in the metropolitan police district.

2324. Are they spirit grocers or publicans?—I do not know; you are taking me into a line that I have no knowledge of, and therefore I cannot give any information to the Committee. Captain Talbot has given you the actual facts as to those who do not open.

2325. Then you do not know?—I do not know.

2326. Can you give us any particulars of those places which you have mentioned where petitions were signed?—Yes, the petitions were signed at the establishment of Messrs. Lawlor, Hill, & Company, in Bachelor's Walk. A petition was left there.

2327. Mr. Lawlor is a teetotaler, is he not?—Mr. Lawlor is a teetotaler. Petitions were left at the Coffee Palace for signatures, and they were left at Messrs. Edmondson & Company, in Capel-street.

2328. Also teetotalers?—Yes, also teetotalers; they were left at Mr. Poland's, in Sackville-street, who is not a teetotaler; at Mr. Gibson's, in Mary-street, not a teetotaler; and at the Inchicore Railway Works.

2329. What do you mean by the Inchicore Railway Works?—At the great works there.

2330. Do you mean in the works?—Yes, in the works; signatures were got there for the petition.

2331. That is where Mr. Mooney is foreman, is it not?—Yes, Mr. Mooney is one of the workmen there.

2332. That is the gentleman who took the chair at the meeting?—Yes.

2333. What is Mr. Mooney's precise position?—He is an engineer, earning weekly wages.

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2334. You

Mr. Russell.

10 March  
1877.

Mr. Russell.

16 March  
1877.

Mr. Maurice Brooks—continued.

2334. You said that they were signed at the Working Men's Club and at large establishments?—I said that they were signed at the Working Men's Club and at large establishments.

2335. Where is the Working Men's Club?—Number 41, York-street.

2336. Is that a teetotal association?—The basis of it is teetotal, but the reading rooms and recreation rooms are open to non-teetotalers, and the science classes have been opened to non-teetotalers.

2337. Do they allow them to take a glass of beer or wine there?—No, we have never sanctioned that.

2338. Is there any other Working Men's Club than that in York-street?—I am not aware of any other distinct Working Men's Club, unless you would call the Coffee Palace at Townsend-street a Working Men's Club; it largely partakes of that character, and is not confined to teetotalers.

2339. Have efforts been made by your association to provide places of recreation and amusement for the working men on Sunday similar to your Coffee Palace?—I am not aware whether the honourable Member means by the association as an association.

2340. By your friends; by the gentlemen who take an active part in this movement?—The gentlemen who take an active part in the Sunday closing movement in Dublin are the men who above all others have been in the front of every movement to open the parks, botanic gardens, and everything of that kind.

2341. Can you say how many coffee-houses have been opened by those gentlemen; and do not mean those opened by individual proprietors for the purpose of making a living, but those that have been opened by benevolent individuals for the purpose of ameliorating the condition of the working men, and drawing them from the public-houses?—I may say that everything of that kind which has been started from benevolent motives has altogether failed, and always will fail, and therefore they are now started upon a purely commercial basis, and they are everywhere successful.

2342. Is it the fact that the Coffee Palace has been founded not for profit, but by the subscriptions of benevolent individuals?—The building was erected by subscriptions, and the result has been that it is entirely successful as a commercial speculation, and an effort is now being made to wipe out the building debt in order that the thing may go on a sound commercial basis.

2343. Do you know any public-house that has ever been erected by subscriptions, and that has carried on business in debt?—I know that a good many public-houses have come to grief of late.

2344. Those coffee-houses of which you spoke, and which have been opened by the benevolent efforts of individuals, and which have failed; can you say whether those coffee-houses were open on Sundays?—The Townsend-street one is, and the York-street Club is.

2345. Of those that failed, I mean?—I do not think they were.

2346. Is it not a fact that from religious motives those houses, intended for the entertainment of the people of Dublin, were not permitted to be opened on Sunday?—I am giving you the facts with regard to two which I am familiar

Mr. Maurice Brooks—continued.

with; as regards the others, there was one of them opened by Mr. Fry; I do not know whether that was open on Sunday or not, but it was a failure.

2347. Then, except the Coffee Palace which is in debt, and the York-street Club, you know of no other that has been a success?—Those are the two which have been started on commercial grounds, and those two are successful.

2348. Are those the only two that you know of?—I know that the Hibernian Refreshment Rooms which have been opened by a gentleman who was a member of the Sunday Closing Association, one in Capel-street, and another in South Great George's-street, for the supply of cheap dinners and coffee, have been entirely successful as a commercial speculation.

2349. Are they open on Sundays?—I think not.

Mr. Murphy.

2350. You stated that, as secretary of the Irish Sunday Closing Association, you have attended all the meetings that have been held for the purpose of promoting Sunday closing except when you were in London?—Yes, all the meetings in Dublin.

2351. Mr. Mooney, who was the chairman of the meeting to which you referred, is employed at Inchicore, I think you said?—He is.

2352. Are you aware that the chairman of the Great Southern and Western Railway is a teetotaler?—I am not. I am aware to the direct contrary; it was his brother, Mr. James Haughton, who was a teetotaler. I believe that Mr. William Haughton is not.

2353. Mr. Mooney has been a teetotaler, has he not, for 36 years?—Yes, he has; he took the pledge from Father Mathew.

2354. With regard to the canvassers whom you spoke of, were they paid for their services?—They were.

2355. What was the mode of payment?—Weekly wages.

2356. No matter how many signatures they got?—That did not make the slightest difference; it was a fixed weekly wage.

2357. Were they employed for the job merely, or were they permanent officers of the association?—They were employed for the job merely.

2358. Are you aware how many heads of families there are in Dublin?—No, I am not aware of the exact number.

2359. Have you any idea of about the number of heads of families there are in Dublin?—I have heard it stated that there were 50,000 returned in the census.

2360. Fifty-eight thousand, I think, is about the correct number in the census, and of those that you call heads of families you received answers from 25,307 in favour?—Of those that are called householders and room-keepers.

2361. Then I presume that what you call householders and room-keepers are the heads of families?—In the main they are.

2362. You stated, did you not, that papers were left on one day and called for on the next?—Yes.

2363. It is almost unnecessary to ask you if you had any means of ascertaining whether the papers were called for, and that were signed, were absolutely signed, by the parties whose names were attached to them or not?—I cannot tell that.

2364. They

Mr. Murphy—continued.

2364. They were left there, I take for granted, in the morning when the men were out at their work, and they were called for on the ensuing day?—They were left there during the day and called for the next day.

2365. It is impossible for you to take upon yourself to say whether any number, great or small, of those papers which were returned on the following day signed, were absolutely signed by the individuals themselves?—We had to take that for granted.

2366. In other words you cannot tell whether the men ever saw the papers at all or not?—We have no means of knowing.

2367. I find by a return forwarded by Mr. Reed, who was examined by the Committee on a former day, that in the City of Dublin, that is within the municipal boundary, there are 787 public-houses and licensed victualliers; there are 32 wine and refreshment houses; there are 231 spirit grocers, and there are 91 beer retail houses; making about 1,100 altogether; of those, you have got 341 for closing and 222 against, making altogether 570 or something about one-half?—Yes.

2368. I take it for granted that those canvassing papers were left at the house of every householder and room-keeper within the district?—The instructions were to that effect.

2369. Rich and poor?—Yes, rich and poor.

2370. Have you ever taken the trouble to ascertain what the proportion of those whom I will call for distinction's sake the rich, that is those who do not frequent public-houses, may be as compared with those who might be supposed to do so?—No I have not, but I was struck when checking the canvass returns and when examining the canvassers at night to find that the more difficulty was always in the rich districts. They had comparatively little difficulty in the poorer districts, but they met with considerable difficulty in the squares and better streets.

2371. Difficulty in what way?—Difficulty in getting the papers back, and there was a larger percentage of votes against the measure from those districts than from the poorer districts.

2372. With regard to the meetings which you spoke of, who prepared the resolutions at those meetings?—I think that very frequently I prepared them, unless at the purely working men's meetings they were prepared by themselves.

2373. I am speaking of the meeting that Mr. Mooney presided over?—They prepared the resolutions for it themselves. That was a working men's meeting. The meetings held directly under the auspices of the association I would prepare the resolutions for as secretary.

2374. Did you never prepare the resolutions for what you call the working men's meetings?—No.

2375. Have you never assisted in preparing them?—No.

2376. Did they ever come to consult you about those meetings?—Very frequently.

2377. You were consulted prior to their holding those meetings?—Generally.

2378. Were you never asked to sketch out a resolution for them?—It would not be natural that you should be asked?—The working men are quite competent to do their own work, and they do it, and therefore I do not think it would be natural.

2379. Were you not asked by them to assist  
0.59.

Mr. Murphy—continued.

in preparing the resolutions?—Not for the working men's meetings; at no meeting held beyond the auspices of the association have I assisted in drawing a resolution.

2380. Nevertheless they consulted you about it prior to holding the meeting?—Yes.

2381. Do you mean to say that they never asked your advice as to what kind of resolution they should propose?—They may have in a casual way said, "Will you draw the resolutions," or something like that; but as for doing it for them, I never did it.

2382. You stated in the enumeration of the places at which you left the petitions for signature, Mr. Poland, for instance, and others, that they were not testotolers; were they in favour of the Sunday Closing Bill?—I think so.

2383. As a matter of fact, generally speaking, those petitions for signature were left at establishments, the principals of which were in favour of Sunday closing?—Decidedly.

2384. How long have you been secretary to the Irish Sunday Closing Association?—Four years.

2385. Was there any association established prior to that, to which you were secretary?—The Irish Sunday Closing Association was established in 1866, and I became secretary four years ago.

2386. Were you secretary to any other association of a similar kind prior to that?—I have been secretary to the Irish Permissive Bill Association since the year 1869.

2387. Is that Irish Permissive Bill Association in existence yet?—Yes.

2388. Then you became secretary to the Irish Closing Association?—Yes.

2389. Not ceasing to be secretary to the Irish Permissive Bill Association?—No, not ceasing.

2390. Will you be good enough to tell me how was the Irish Permissive Bill Association supported?—By the contribution of its friends in Ireland.

2391. Altogether in Ireland?—I do not find that we get more than 20 l. from English subscribers to the Irish Permissive Bill Association.

2392. You never did get more?—No, not from England.

2393. Have you ever received any funds from England?—Yes.

2394. For your Permissive Bill, or for your Irish Sunday closing?—Not one farthing for the Irish Sunday closing.

2395. Of course you are a salaried officer, I take that for granted?—Yes.

2396. By whom was your salary paid to you in the Irish Permissive Bill Association?—By the treasurer.

2397. Are you not aware, where he receives those funds from?—I am aware where the funds come from, because I get them.

2398. In fact you have a perfect and intimate knowledge, I take for granted, of the working of the Irish Sunday Closing Association, as well as the Irish Permissive Bill Association?—Yes.

2399. You have a perfect and intimate knowledge of the disposition of its funds?—Yes.

2400. May I ask you what has been the general disposition of its funds?—Simply in the way that I have described to the honourable Member for Dublin, in public meetings, making canvasses, and the usual purposes of agitation of that kind. They are described in the annual report every year.

2401. Are

Mr. Evans.

15 March  
1877.

Mr. Russell.

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1877.

Mr. Murphy—continued.

2401. Are these public meetings confined to Dublin?—No, throughout all Ireland.

2402. Have you got corresponding secretaries throughout the country?—We have correspondents, but not corresponding secretaries.

2403. Have you any secretary paid in that way in any part of Ireland outside Dublin?—No, none whatever.

2404. Do you ever grant any funds to any provincial places for the expenses of meetings?—Yes, we have the disposition of the funds, as I have already said, throughout all Ireland. We have paid the expenses of the meetings everywhere.

2405. Paying for printing?—We have paid the whole expenses of the agitation in the country.

2406. Paying for printing, paying for placards, and all that sort of thing?—Yes.

2407. Have you ever had, or do you know of your own knowledge or belief, whether or not any portion of those funds have ever been applied, or have been offered to be applied, for the purpose of paying the election expenses of candidates in favour of the Sunday Closing Bill?—I can assure the Committee that in not one single case has the Irish Sunday Closing Association, or the Irish Permissive Bill Association, been in a position to offer one farthing for any such purpose. I give a decided negative to that.

2408. I do not think you have answered my question; have they ever offered to give contributions, or to provide contributions?—Never.

2409. The gentleman in various localities in Ireland with whom you are in communication, either as paid secretary or as voluntary secretaries in the localities, correspond, I take for granted, with the Irish Sunday Closing Association?—In some cases, men who are in favour of the Permissive Bill are in favour of Sunday closing; in other cases they are not.

2410. Do you know a gentleman of the name of Scott Anderson?—Yes; Mr. Anderson was an agent of the Permissive Bill Association three years ago.

2411. Is he an agent still?—No, and he has not been for the last three years.

2412. Is he an agent of the Irish Sunday Closing Association?—No, and never was.

2413. Then the only connection that he had was, that he was up to three years ago an agent of the Irish Permissive Bill Association?—Yes.

2414. Are you aware that he ever had a correspondence with the Irish Permissive Bill Association or with you?—Yes.

2415. Did he ever correspond with you?—Yes.

2416. Upon subjects, of course, connected with the movement?—Yes.

2417. Are you aware, as a matter of fact, that Mr. Anderson, who, as you stated, was an agent of the Permissive Bill Association up to three years ago, ever had a correspondence and communication with any person in the city of Cork, with reference to the Permissive Bill movement?—I am sure that he had many a communication and many an interview with people in Cork about the Permissive Bill.

2418. Are you aware, or do you know, that he, in fact, corresponded with the Irish Permissive Bill Association in Dublin, with reference to a transaction in which it was stated that money would be provided for a candidate in favour of that movement?—I know that he corresponded

Mr. Murphy—continued.

with the United Kingdom Alliance in Manchester on that subject.

2419. Did he ever correspond with you about it?—He wrote to me about it, as a matter of course.

2420. You are aware, then, that such a thing took place?—Certainly.

2421. Are you aware who was the secretary of the association in Dublin in the year 1872?—I was.

2422. Is this a fact, that the secretary of the association came down expressly from Dublin in reference to the matter, that is to say, with reference to an overture made to the Permissive Bill Association, making 400 £ or 500 £ to support a candidate in Cork; and, after several interviews, a special meeting of the Local Committee rejected that offer of doing this, after they were informed from head-quarters that the money would be forthcoming, if, in their judgment, it was required, and could be properly expended?—Yes, the United Kingdom Alliance offered.

2423. Stop a moment. You were the secretary to the Irish Permissive Bill Association?—Yes.

2424. Did you go down expressly from Dublin, with reference to that matter?—I went to Cork, at the request of the United Kingdom Alliance.

2425. Was money offered to be provided, if the requisite candidate could be found?—The United Kingdom Alliance offered.

2426. You are secretary to the Irish Permissive Bill Association?—The Irish Permissive Bill Association offered no money. They had no money to offer. I am secretary to the association.

2427. You, as secretary to the Irish Permissive Bill Association, went to the city of Cork with reference to the matter?—Yes.

2428. And you are aware that money would have been forthcoming if it was required, and it could be properly expended?—I am aware that the United Kingdom Alliance was quite willing to help their friends in Cork, if they required money with reference to that election.

2429. Were you secretary to the United Kingdom Alliance?—No.

Mr. Tom Hamilton.

2430. I think you said that the present association for Sunday closing has been in existence about 10 or 11 years?—Since the year 1866.

2431. Can you mention the names of some of the gentlemen who were the original promoters of it?—Sir Dominic Corrigan, Mr. Pim, Mr. Richard Martin, Mr. Drummond, Mr. Stokes, and a great many others.

2432. Of course the object of those gentlemen was to promote the moral and social improvement of the people who might be victims to Sunday drinking?—That was their object.

2433. Do you consider that during those 10 years, the agitation in favour of Sunday closing has gained amongst those classes who would be most affected by it?—Immensely gained.

2434. As to the meetings, I do not refer to meetings held in Dublin, but have there been many meetings held in the township of Rathmines, Kingstown, and so on, in favour of the Bill?—A considerable number.

2435. Any against?—None whatever. Perhaps you will allow me to state in connection with this, that petitions have also been adopted by the Townships



Mr. Jos. Hawtles—continued.

Townships Commissioners. The Rathinnes Commissioners have unanimously adopted a petition in favour of the Bill and against the exemption of the metropolitan police district. The Pombroke Township Commissioners last year adopted a petition in favour of the Bill. The Dalkey Town Commissioners did the same thing. The Killiney Commissioners also petitioned, and the Blackrock Commissioners petitioned this year also. These are five of the out townships.

Lord Charles Hersford.

2436. The Irish Sunday Closing Association uses all its efforts to close on Sunday?—Their efforts are entirely confined to Sunday.

2437. And they think nothing about Saturday?—Nothing about Saturday.

Mr. Bruce.

2438. Are you a member of any club in Dublin?—I am an honorary member of the Working-men's Club.

2439. Have they a club-house?—Yes, they have.

2440. Is the club-house fitted up for refreshment?—Yes.

2441. Is intoxicating drink sold there?—No.

2442. Are you aware that there are a considerable number of clubs in Dublin in which intoxicating drinks are sold?—I hear and I know that there are clubs, but as to what takes place within them I have no knowledge. I presume that intoxicating drinks are sold there.

2443. I may inform you that there are several clubs at which intoxicating drink is sold; has it been ever the object of your association to extend the Total Closing on Sunday's Bill to the sale of drink in clubs?—That has always been felt to be a difficulty, because those clubs are not licensed. They rank as private houses. We are perfectly willing to bring all licensed houses under the law, but we never could see any plan by which we could bring private houses such a clubs under the law.

2444. Still your association takes as its name the Association for the Total Suppression of the Sale of Drinks on Sunday in Ireland; is not that so?—Yes, it is the object of the association.

2445. You say that the distinction that you draw between those clubs and public-houses is, that the clubs are private houses?—Yes.

2446. You spoke of a club, I think, called the York-street Club; is that a private house?—It is.

2447. If drink were sold at that club, should you say that it ought to be closed on Sunday?—Certainly, if drink were sold. I do not know whether the honourable Member means if it were turned into a public-house?

2448. No; you have already admitted that it is a private house, and I ask you the question, if drink were sold at that club house, should you advocate its being closed on Sunday?—Certainly not. I would not close a working-man's club and leave another one open.

2449. Then I may presume that if in consequence of the total closing of public-houses on Sundays, working-men's clubs were formed such as the York-street Club, and if intoxicating drinks were sold there, your association would not be in favour of closing them on Sundays?—The association only deals with the licensed sale of drink, and I do not think that we could touch

0.59.

Mr. Brown—continued.

them. I give no opinion as to whether we are in favour of the sale of drink at any club or not; but seeing that they are not licensed the law cannot get at them, and therefore we have shut them out from consideration altogether.

2450. You said, I think, that if this Bill, that is the Public-House Sunday Closing Bill, was passed, the Sunday Closing Association would be dissolved?—Certainly.

2451. And supposing this to be case, that clubs of the same kind as the York-street Club were formed after the passing of the Bill, do you think that your association would feel it would be its duty to reconstitute itself, and interfere with those establishments?—That is a problematical matter altogether. I am inclined to think that drinking in a club (I am now speaking of a working-men's club) is by no means so injurious as drinking at a public-house. I will give you a reason: At Rochdale, where they have several hundred members all working-men, the drinking there is only 3d. a week per member, as I see by the annual report of that club. They have practically solved that difficulty, and I do not think that drinking in clubs, either working-men's clubs or gentlemen's clubs, is one-half or one-quarter so prejudicial as drinking in public-houses, where the owner of the house has a direct interest in the quantity of drink sold.

2452. Then, I suppose that you would view those clubs as not presenting the evils which your association was formed to repress?—Certainly.

2453. You mentioned two refreshment establishments which have been opened in Dublin, one in South Great George's-street and the other in Capel-street, and you said that they were both a success commercially speaking?—Entirely so.

2454. But they are not open on Sunday?—I believe they are not.

2455. Do you think that they would come to be a success, commercially speaking, if they were open on Sundays?—No.

Chairman.

2456. Are you aware of the existence of any working-men's clubs in Dublin in which drink is now sold until an early hour on Sunday morning?—No, I am not.

2457. You never heard of such a thing?—I never heard of it.

Mr. Sullivan.

2458. The working-men's club in Yeck-street is composed, is it not, of *band fide* working men?—Entirely.

2459. They manage it themselves?—Yes.

2460. With some honorary members, I believe?—Yes, and it is entirely self-supporting.

2461. Are you aware that they receive any co-operation from the city Members?—They never did.

2462. Some gentlemen come, do they not, and give readings or entertainments for the working classes?—Yes.

2463. Has either of the city Members of Dublin ever helped those working men?—Not to my knowledge.

2464. The honourable Member for Dublin asked you about Scotchmen, who are citizens of Dublin, taking part in this movement. Scotland has contributed some distilleries to Ireland, I believe?—I should think it has.

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2465. And

Mr. Russell.

16 March  
1877.

Mr. Russell.

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1877.

Chairman—continued.

2463. And to Dublin?—Yes.

2464. Are you aware to what nationality the honourable Member for Dublin, who asked you the question, belongs?—I am not; really I have not entered into the question of nationality.

2467. I believe that three gentlemen, Mr. Wigham, Mr. Drummond, and Mr. Nicolls, when he singled out for that invidious distinction, are men amongst the most respectable mercantile men of Dublin, and *bona fide* citizens of Dublin?—They are just the three gentlemen that in any public movement of philanthropic character, or for the welfare of the people, are decidedly in the very front rank of citizens of Dublin.

2468. Have their subscriptions to orphanages and to meetings of benevolent institutions ever given offence on the ground that they came from Scotchmen?—Never.

2469. Has Mr. Wigham's efforts for opening the Botanic Gardens ever been regarded as invidious, from his being a Scotchman?—No.

2470. Are you aware that the honourable Member for Dublin took any part on that Committee on which Mr. Wigham and I acted?—I never heard of it.

2471. About this Sunday closing canvass; was not that canvass projected from an honest and earnest anxiety to get at the opinions, and the free opinions, of the widest practicable mass of the people?—It was.

2472. Did you not take the widest register, so to speak, that could possibly be found?—Yes.

2473. Immensely wider than that upon which the honourable Member for Dublin was returned to Parliament?—Immensely wider.

2474. And, therefore, much better likely to give an idea of the feelings of the people of Dublin than the class who returned the honourable Member?—Certainly.

2475. I think that the honourable Member for Dublin asked you would not the wives of the working classes be very sure, whatever their husbands might think, to have the paper filled up if they could in favour of Sunday closing; does not that fact in itself, or the suggestion in the question of the honourable Member for Dublin, make it a very serious consideration as to what the unanimous feeling of the wives of the working classes would be?—Very serious indeed.

2476. From your acquaintance with the working classes, do you think that the wives of the working classes would be averse to anything that would be for the domestic comfort, happiness, and peace of their families?—They would not.

2477. Are not the wives of the working classes just as good judges of what concerns their domestic peace and tranquillity as the wives of any other class?—They are.

2478. Have you ever heard from the opponents of Sunday closing, any proposition to take the vote of the population on even a wider basis than that you have done?—I never heard of them taking a vote at all.

2479. Nor upon a narrower basis?—No.

2480. Although they object in some instances to the vote which you took by voting papers, they never proposed one themselves?—No, never.

2481. The honourable Member for Cork said to you, surely you have no means of saying that the signatures were actually the signatures of the people who purported to sign them; is there any more certainty in the case of the Poor Law voting papers?—No.

Mr. Sullivan—continued.

2482. Do you think it likely that any honourable Member of Parliament would know that very well?—I should say the ordinary run of Members of Parliament would.

2483. In going over the papers in the room did you not recognise the signatures of nearly every person, whose signature in any way you knew, as being a *bona fide* signature?—Yes, certainly.2484. Did you in any sense detect anything that could suggest to you that the canvass was not *bona fide* and honest?—The Dublin voting papers were examined by myself, every one of them. I have no hesitation in stating to the Committee my belief that from first to last the canvass was entirely honest and impartial.2485. Did you afford to the honourable Member for Dublin, and to every one else who wished so to do, all reasonable facilities for examining the papers and testing the *bona fide* of the signatures?—We had the 30,000 signatures on the table before him.

2486. How many of the voting papers were put before the honourable Member, do you think?—The entire papers.

2487. Had the licensed traders of Dublin a full and fair chance, in the matter of these papers, of saying no, just the same as others had?—They had.

2488. There was nothing to prevent the majority of the traders of Dublin, was there, from making a "No," if they were opposed to it?—Nothing to prevent them.

2489. How many of them voted "No"?—Two hundred and twenty-nine.

2490. Out of how many altogether of the traders in Dublin?—About 1,000 altogether.

2491. As to the public meetings, have the public meetings in connection with this question, been open, public, and free?—Every one of them.

2492. Has any person coming forward to move an amendment against the Sunday Closing Bill been treated in the manner in which the man was treated who came to move an amendment at the Rotunda meeting the other night; that is to say, refused and pitched off the platform?—I was not at the Rotunda meeting, and therefore I can only speak from hearsay, but I can state distinctly that on every occasion when any one has proposed to move an amendment at a Sunday closing meeting, the chairman and those on the platform have done everything in their power to get them a hearing, and in no simple case do I remember a man who did not get a hearing.

2493. Have not amendments been frequently moved at Sunday closing meetings?—Frequently.

2494. And always heard?—Yes, always heard.

2495. And put from the chair?—Yes, and put from the chair.

2496. Are you aware from what has transpired in this room that an amendment was refused to be allowed to be put the other night at the pretended working-man's meeting?—I have read of it in the paper.

2497. Did you hear Mr. Dwyer give that evidence?—I did.

2498. Did you hear him say that the section of the public whom he represents did not disturb our meetings?—I did.

2499. And that he had in his possession some stones which were flung at the Rotunda meeting?—I heard him state so.

2500. Is

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2500. Is it your experience that the anti-Sunday closers are as mild and gentle as that; was any missile ever flung at your head at a Sunday closing meeting?—Very many of them.

2501. Was a brick and was a large piece of wood with an iron spike in it, flung at you with force at one of those meetings?—Yes, there was the leg of a form wrenched from its socket, with a big iron spike in it, flung at my head.

2502. You do not exactly agree with the mild picture of the meeting which was described here the other day?—No, I was rather amazed at the mildness of the description.

2503. Could any man in Ireland, anxious to know public opinion, take greater pains to ascertain the feeling of the people than the body you represent have done on this question?—I do not think that they could.

2504. Do you, as a matter of fact, know of any public question ever proposed in Ireland upon which such great pains were taken to ascertain the feelings of the people as on this?—I know of none.

2505. When interference was made by the Act of Parliament the last time with the hours of trading, shortening them somewhat, did the Government, or did any one have any consultation with the working classes upon the matter?—Not that I am aware of.

2506. You have watched the progress of the liquor legislation for some years, have you not?—Yes, I have for the last 12 years.

2507. You never heard of the Government, or any one else, taking the same trouble to find out the wishes of the working classes at large as your association has taken?—Never.

2508. Neither did you hear of the Licensed Vintners taking any trouble in that way?—No.

2509. Some petitions, however, have been presented against your Bill?—Some petitions have been presented against it, certainly.

2510. We heard of the working men's petition against Sunday closing, purporting to be signed by 12,000 working men; can you tell us anything about that petition?—I examined the petition itself in the vaults of the House of Commons, accompanied by an Irish Member, because I had received a letter from grocers' assistants, telling me that it was a huge fraud. I went over the petition, signature by signature, and I found my own name three times. I found yours twice, I found those of Mr. Alderman McSwiney, Mr. Jonathan Pim, Mr. Rowland Pensonby Blennerhassett, M.P. for Kerry, and about 100 bogus names, such as Tom Wheelbarrow, John Rumplesumples Sillakin, and others of those absurd names.

2511. You say that you saw my name to it?—Yes, twice, and I saw Mr. John Bright's name also.

2512. Did you see in the newspaper, a letter from Mr. Michael Dwyer, saying that the signature of A. M. Sullivan was a *bona fide* signature, and that he knew a person in Dublin named Mr. Andrew M. Sullivan?—I read that letter.

2513. As a matter of fact, was not M.P. signed after A. M. Sullivan?—I can state from personal investigation of the petition, that the signature was A. M. Sullivan, M.P.

2514. You examined those petitions, and you found them to be what you state; as a matter of fact, do you know where these pretended working

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men's petitions against Sunday closing originated, or were signed?—As a matter of fact, I know from grocers' assistants and from working men, that they were signed in the public-houses, every one of them.

2515. Left at the bars?—Yes, left at the bars; they bore markedly the traces of tumbler upon them.

2516. Do you think that a man who was selling drink, or giving drink, had an interest in getting boys who were having a treat to sign them?—I know that men sat in the bars, and regularly took down the names; it was just a long string of names, with scarcely a single address. One half of the names was in one handwriting, and not signed at all by the parties.

2517. Do you know anything about the effort made to induce the trade societies to petition against the Bill?—I know that the trade societies were visited by deputations last year.

2518. Deputations from whence?—I think they were deputations composed of three or four working men.

2519. To petition against the Bill?—Yes.

2520. With what results; how many trade societies are there in Dublin?—Fifty-four.

2521. How many of these petitioned?—Certainly not more than 17; I think I am above the mark in saying 17.

2522. About how many belong to that confederation which Mr. Keegan was connected with?—I could not answer that question.

2523. Are you aware, from your public knowledge of events, that the bulk of the trades in Dublin do not belong to that organisation at all?—I am.

2524. Do you not think that the working classes of Dublin are men of intelligence and watchful of political events around them?—Very much so.

2525. They are not inferior in intelligence to any similar body in Ireland?—I should say not.

2526. Do you think that if they had considered this a fatal blow to their liberties and as an act of coercion, they would not have been actively up in arms against it?—We could not have held a meeting in its favour.

2527. If that had been their *bona fide* idea, you could not have held a meeting?—No; if the working classes of Dublin had been hostile to this Bill, it would have been altogether impossible to have held a meeting in its favour in Dublin.

2528. You heard the honourable Member for Dublin the other day ask one of the witnesses whether any single Roman Catholic clergyman in Dublin had ever spoken at a Sunday closing meeting; did you know Dean O'Connell?—I heard that question. I know Dean O'Connell.

2529. Was he a very prominent Catholic clergyman of Dublin?—He was the Dean of Dublin.

2530. Did he speak frequently at your meetings?—Yes; he was a vice-president of the association.

2531. The honourable Member for the City might have known that?—Yes; he worked publicly for us in different ways; any one would know that. I could give you the names of 30 Roman Catholic clergymen in Dublin who have aided the association at public meetings and in other ways.

2532. You were asked by the honourable Member for Dublin what the Sunday closing people

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people were doing for the working men as to providing coffee-shops; in any efforts which have been made for improving working men's dwellings, amusements, parks, and squares, have not the gentlemen who are prominent in these movements, been also prominent in these things?—Yes, always.

2533. A Bill has been introduced by the honourable Member for Kildare with reference to the beer sellers; he is one of the gentlemen who votes for Sunday closing?—Yes.

2534. Has it struck you as remarkable that the people who oppose Sunday closing never make any effort themselves that has ever assisted you?—Very remarkable, indeed.

2535. Not even with pressure?—I know this that we have received no assistance in promoting the Beerhouse Bill from the honourable Members for Dublin, for example, whose city is primarily interested in it.

2536. In your efforts, in connection with this movement, have you found the same parties generally telling you always to do something else?—That is a very common thing in all movements.

2537. As to opening the Coffee Palace or such places on Sundays, do you think that they would have as much fair play, as a matter of success, before Sunday closing as after it?—They would be vastly more successful after it. My experience is that the gin palace weights these places too heavily.

2538. About how many grocers' assistants and publicans' assistants, and others, do you think there are engaged on week-days and Sundays in carrying on this traffic?—I should have a difficulty in giving you any opinion of my own, but I have in my hand a letter, from which I will read an extract, from a prominent member of the Grocers' Assistants' Association, in which he says, "I think that in Dublin and the suburbs there are about 2,000 assistants employed, some of whom are apprentices, and nearly every one of them work from 7 o'clock in the morning to 11 o'clock at night on week days and from 2 to 9 on Sunday, that is, 17 hours on week days and 7 hours on Sundays."

2539. Is it a matter of public notoriety, in Dublin, that the hard fate of these young men excites commiseration, their having no hours for self-culture or recreation?—It has been a matter of painful notoriety for the last 10 years in the city.

2540. Is it a matter of public notoriety that the assistants engaged in this trade have held public meetings to express their grievances?—It is a fact, and I have the report of one of these meetings before me.

2541. Did you hear the secretary of the trade state here, the other day, that he knew nothing on the subject of their meetings?—I did.

2542. Do you think he does not watch the papers and see them on this subject?—Very keenly.

2543. You heard him, however, telling us of the feelings of carpenters and tailors, and other trade classes?—Yes.

2544. He undertook to tell us what their feelings were?—Yes.

2545. But that he knew nothing of the feelings of those young men engaged in the actual trade that he represented?—I heard that.

2546. Will you take that in your hand (hand-

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ing a paper to the Witness); is that cut from the "Freeman's Journal" of the date endorsed upon the back of it?—This is cut from the "Freeman's Journal" of the 26th of April 1874.

2547. Is that a report of a public meeting of these young men engaged in this trade?—It is.

2548. Will you tell us what are the resolutions, and whether they were carried by the majority or unanimously, and who was in the chair?—Mr. Hugh O'Donnell, president of the Grocers' Assistants' Association was in the chair, and the resolutions were carried unanimously.

2549. Will you read the first resolution?—"That considering the very long hours of labour (from 7 o'clock a.m. to 11 o'clock p.m.) to which we are subjected each day of the week, we look upon the opening of public-houses on Sundays as a great grievance; and we are of opinion that the time has arrived for the Legislature to take prompt measures to close public-houses on Sundays."

2550. Did you hear the other day that the excuse for not needing to that was the same excuse as attaches to menial servants, our cooks and our scullery maids?—I heard something tantamount to that.

2551. We have had some questions here as to illicit sale; have you given any attention to the question of the illicit sale of drink in Dublin?—For the last 12 months I have given very great attention to it. I have visited the shams and alleys of the city, and have spent nights and mornings, all night and all morning, in these illicit houses watching the whole of the operations.

2552. How was your attention first directed to it?—My attention was first directed to it by letters from working men.

2553. What course did you adopt?—I consulted with three or four gentlemen, who arranged to accompany me on a tour of observation on several nights.

2554. Will you describe what you did and what you saw, partly on Sundays and partly on other days?—I must divide it under two heads. First as regards spirit grocers, we visited 15 spirit grocers, and in every one of those houses in the early part of the evening, before 11 o'clock, we called for liquor for consumption on the premises, and in every case we got it. Although it is illegal to sell for consumption on the premises in those establishments, in not a single case were we refused. In most cases men were drinking at the counter. In other cases they were drinking in a room behind, separated from the shop by a partition, a check-string from behind the counter opening the door. We saw as many as a dozen people drinking in these places, with the police often standing on the pavement outside the shop. We saw people in other spirit grocers' shops from the windows drinking openly just the same as if they were public-houses. That was our experience as regards the spirit grocers. With regard to the Sunday morning sale, we started very early on Sunday morning, the stars were shining so that it was quite dark. We visited the worst districts of the city between 6 and 9 o'clock in the morning. Until half-past 9, we positively saw nothing to arouse suspicion in those districts; the streets were absolutely deserted and as still as death. At half-past 9 in Mercer-street we noticed a boy at a spirit grocer's door, and we stopped and put ourselves

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ourselves into ambush and we saw for about 20 minutes a stream of frowsy-looking debauchees going to the place, and being let in by this boy. We satisfied ourselves that they were going in there for the consumption of drink. But the two places that I wish particularly to direct the attention of the Committee to are Clarence-place and Stephen-lane. Clarence-place is off Great Brunswick-street, and on going into that we found a beer-shop. There was a watcher at one end of the street and a watcher at the other. The beerhouse keeper was at the door, and his wife was at the window above. I saw myself in about a quarter of an hour at least 80 or 100 people streaming into that place at about 10 o'clock in the morning. There was no effort upon the part of anyone to stop it. We then went to Stephen-lane. This is a more particular place as showing what I mean by illicit sale than the other. A regular stream of people was in the lane going into a spirit grocer's, and I think a beerhouse, and I was greatly surprised at it; that was about 11 o'clock, and I went round into Morrison-square, and called the attention of a policeman to it; I brought him to the end of the lane and showed it to him. He said, "I have nothing to do with that." I said, "Are you not the policeman on this beat?" "I am," he said, "but that is the sergeant's duty." This is going on every Sunday, and nobody takes the slightest notice of it. I said, "It is very singular that you, a man on the beat, cannot interfere; there are the people breaking the law, both those in the houses and those who are selling drink are liable to punishment; is it possible that you can do nothing?" He told me again that it was none of his business; that he had nothing to do with the illicit sale of drink, and that the sergeant was the only man who could interfere. I returned there after an hour, and I found the sergeant in the lane, and the whole place cleared; I asked the sergeant what it all meant. "Well," he said, "we cannot do anything; when I come on the ground the whole place is cleared, it is just like a rabbit burrow; we can do nothing." I said, "Is it possible that a constable upon the beat has no power to interfere in a case like this?" and he told me that the rules of the force were that the sergeants alone were entrusted with that duty.

2555. In consequence of the discoveries that you made in this way, what general public action did your body take?—I wrote a description of the whole thing in the "Freeman's Journal," and I visited the places afterwards, and the whole of the illicit sale in those places had ceased.

2556. So far as you could find?—Yes, so far as I could find the places were all quiet and still, and the crowds had vanished; that was two Sundays afterwards.

2557. Is it your opinion that efficient vigilance is not exercised, or was not exercised by the police force in Dublin over this traffic?—I certainly concur with the opinion that the learned Recorder gave upon that subject. I think that the apathy of the police force was due, very considerably, to the apathy of the public, and that the supervision of the whole drinking system, so far as the Dublin police is concerned in the past, has been wholly sad altogether inefficient; now it is somewhat better, and as regards the illicit sale, nothing would be easier than to suppress it. A great deal has been said about the difficulties, but from my own personal examination of this question

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I wish to state to the Committee that if those ornamental policemen who stand at the church doors were just removed to the doors of the 117 known illicit houses (there are more churches than that in Dublin), they being admittedly of no use to the churches, they would be of very great use at the other places, and they could stamp the whole thing out.

2558. From what event or period do you date this improvement in the vigilance of the police?—From the date upon which the deputation waited upon the Chief Secretary for Ireland.

2559. Not alone have the police improved in vigilance, but as regards this matter of enforcing the putting the name over the door, have the authorities in Dublin for years abstained from putting the law in force in that respect?—We first of all waited, with reference to signboards, upon Sir Henry Lake; we waited 12 months, and nothing came of it. We feel counsel to make an appeal to the Recorder in sessions assembled, but nothing came of it. We asked you to put a question to the Government in the House of Commons; and nothing came of it. We then waited upon the Chief Secretary for Ireland, and the law was enforced afterwards.

2560. He took it in hand?—Yes.

2561. You will know where to go to next time when you want anything done?—Yes, certainly, we have quite made up our mind upon that.

2562. As to the police statistics about drunkenness, is it your experience and opinion that they are a safe measurement of drunkenness?—Very unsafe as a measurement of drunkenness. In Dublin, as in many other places, it is only the men who are lawfully drunk, that is to say, who is lying on the streets, or the man who is disorderly drunk, that is arrested while there are 50 men staggering home through the streets drunk, for every one of those two classes. The police statistics on drunkenness in Dublin, as any honourable Member knows, are no measurement of the actual drunkenness of the city.

2563. What is your experience in connection with the temperance societies upon this point?—My experience is simply this, that I have seen as many as 60 men on a Monday night coming to a temperance meeting to take the pledge, who were drunk on Saturday night and Sunday, but who had never found their way into a policeman's hands.

2564. Have you heard of such an institution as Saint Monday in Dublin?—That is perfectly well understood by employers of labour in Dublin.

2565. Are you not aware that every member of the executive of your society has from time to time brought complaints from large employers of labour that on Monday they can hardly get their men to work at all?—I was told by the chairman of the executive, since this inquiry was commenced, that in his establishment alone, when times were good, the average of disabled men on Monday morning was 36.

2566. Do you think that that is from the Saturday night drinking or from the Sunday drinking?—It commences on the Saturday night, and is continued throughout Sunday, and the continuation on Sunday involves the continuation on Monday; just as the Saturday involves the Sunday, the Sunday involves Monday.

2567. You have heard about the Saturday night drinking being more than Sunday; have

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you anything, to say upon that?—I think that there is more drinking upon Sunday than upon Saturday.

2568. Why do you think that?—I have several reasons for it. Taking the police census of those who visit the houses, or if there be an average taken in any way you like, it shows an enormous amount of drinking upon Sunday. However, I should qualify that in this way: I think, that so far as the large cities, such as Dublin and Belfast, are concerned, perhaps the most serious drinking is on Saturday night, and throughout all the rest of Ireland the most serious drinking is on Sunday.

2569. Captain Talbot told us that the police might become very unpopular in certain districts in the city if they had to enforce Sunday closing; do you believe that there would be a very strong feeling against the police if Dublin were exempted?—I do; and I will give you my reason for it. I am now stating what I have heard from vast numbers of working men upon this point. I offer no opinion as to the validity of the statement, but I give it to you for what it is worth, and as it is made to me. They state that at present the civil liberties of the people of Ireland are greatly at the mercy of the police, and now, if the moral aspirations of the people are to be trampled upon by the police, they would think it a very great hardship. They have stated it practically in those words to me, over and over again. They feel that if they are deprived by the police of this, which they consider to be a boon and a necessity, they will be surely aggrieved.

2570. In your experience of the working men of Dublin, are they not a class who would willingly make some sacrifice of their inclinations for the sake of the general comfort and happiness of their class?—I am sure they would.

2571. From your own experience, mixing with them, and endeavouring to ascertain their opinions, have not even those who drink and use the public-houses said to you from time to time that they would so do if it came to their choice, and that they would close the houses on that ground?—Certainly; they have said that over and over again, large masses of them.

Chairman.

2572. Are you acquainted with any large town in Scotland as well as with Dublin?—I am.

2573. What town?—Dundee, Edinburgh, and Glasgow.

2574. With regard to any one of those towns, can you compare the feeling and practice of the inhabitants generally as to the observance of Sunday with the feeling and practice on such matters in Dublin?—Taking Glasgow, I should say that probably the majority of the people of Glasgow hold precisely similar views regarding Sunday as the people of Dublin hold.

2575. Do they use Sunday as a day for excursions, and the enjoyment of pleasures of that kind?—Very largely; there are 160,000 Irishmen in Glasgow.

2576. That is not the majority of the population of Glasgow?—No, but I should also tell you that in my opinion (and I have lived in all those cities) the Scotch idea of the Sabbath is not what it was 20 or 25 years ago, it is very much relaxed.

2577. Do you know whether there are steam-

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boats running on Sundays upon the Clyde for excursion traffic, and excursion trains and other things of that kind on Sundays?—I know that the steamboats run, at least they did in my time.

2578. Are you sure?—They did when I lived in Scotland; they may not now.

2579. Did you ever hear of the attempt to run steamboats on the Clyde on Sundays being suppressed by force?—Never.

2580. Are you aware whether there are excursion trains on the Scotch railways, in and out of those towns, in the same way as there are on the railways in and out of Dublin?—There are not many excursion trains on the railways in Dublin; the idea of excursions from Dublin is greatly exaggerated. The excursion trains run to Wicklow and to Kingstown, but that is all.

2581. Is there not a very large Sunday traffic, whether it is carried on in excursions or ordinary trains between Dublin, and Kingstown, and Bray, and all that country?—I think it is somewhat larger on Sunday than on other days, but there is a very large trade every day. I do not think that it is so much larger on Sundays than on other days.

2582. Do you mean to tell the Committee that you think that there is a traffic of the kind, in and out of a Scotch town, which can be compared with the traffic in and out of Dublin?—I mean to tell the Committee this, and I state it from personal knowledge of the fact, that the traffic between Edinburgh and Portobello and Musselburgh, is quite as large as the traffic between Dublin and Kingstown and Bray, that is, from my own personal knowledge of both places.

2583. From your personal knowledge of both places, do you think that the feeling of the public generally, not merely the feeling of the Irish part of the population, but the feeling of the public generally in those Scotch towns as to the observance of Sunday, is the same as it is in Dublin?—I did not mean to tell the Committee that exactly. Of course, in Scotland there is a very strong feeling as regards the sanctity of the Sabbath, which does not obtain to the same extent in Ireland. But what I mean to say is this, that even in Scotland that harsh view of the Sabbath has greatly changed within the last 25 years.

2584. With reference to the home-to-house canvass, on which you have given some evidence to the Committee, are you acquainted with the number of families, according to the census, in the five towns which are the subject of our inquiry?—I am acquainted with Dublin, that is all. I have not examined the rest, and I cannot give any precise information as to the others. I have had them before me, I have no doubt; but I have not the particulars here.

2585. Could you tell the Committee, as to Dublin, what are the total number of families in Dublin, and what were the number who returned answers to the canvass?—My recollection is that there are some 57,000 families in Dublin, and the answers returned are about 34,000.

2586. Therefore from 27,000 you had no answers at all?—From 27,000 we had not; but there is a considerable explanation to be made as regards this.

2587. Will you make that explanation?—In the first place I have learned at the Census Office that a lodger in a tenement house is returned as the head of a family in the census. We took no cognisance of this class.

2588. Is

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2588. Is not a lodger in a tenement house one of the very class who must be most in the habit of using public-houses on Sundays?—Precisely; but I am merely stating the fact that we took no cognisance of them. Had we known that the Census Commissioners recognised them as the heads of families, then we might have taken cognisance of them; but we had more difficulty in dealing with this canvass than the Census Commissioners had to complain of. Then, again, you take the army, the paupers and criminals and the police force, and the large number of people who really thought when we were leaving the canvass papers that we were leaving tracts, and in a city like Dublin, as a matter of course that impression got very largely entertained. The canvassers had great difficulty from misapprehension in a great number of cases; in other cases people thought they were processions and sumptuous. The difficulty was immense, and not of the same nature as the Census Commissioners met with in taking their returns.

2589. Owing to those reasons there were 27,000 who did not answer you at all?—Not so many as that, if you subtract the lodgers and the classes that we did not give papers to.

2590. Why do you subtract the lodgers?—Simply because we were not aware that they were heads of families at all until we came to consult the Census Commissioners.

2591. Surely lodgers had a right to express an opinion upon the matter?—Yes, but we aimed at the heads of families; we did not propose to take the opinion of every adult in Dublin. We were not aware that the Census Commissioners returned those lodgers as heads of families totally distinct from the families that they lived with.

2592. Among those 27,000 there would be a great many lodgers?—Yes.

2593. And a great many people so ignorant that they did not know what the paper meant, but thought it was a document of the nature you have described?—Yes.

2594. Does not it occur to you that those are the very class of people who are actually the principal users of public-houses on Sundays now?—That may be so.

2595. So that their opinion has not been tested?—Their opinion in that form has been tested.

2596. With regard to the other towns, you say you do not know the figures as to the actual number of families; can you give us any idea in the case of the four other towns what proportion the answers which you obtained bore to the total number of families?—I think the proportion would be larger, because this room-keeping class does not prevail so extensively, and the operation of canvassing was easier I should think.

2597. But you cannot give us any figures upon that point?—No, I cannot.

2598. Referring to the canvass of licensed persons, the honourable Member for Cork has asked you with reference to Dublin; but there is one more point with reference to the canvass of licensed persons in Dublin to which I should like to call your attention; how many assents to total closing on Sunday did you obtain from licensed persons in Dublin?—Three hundred and forty-one.

2599. Do you know how many licensed persons in Dublin now hold six-day licenses?—I do not; they have been considerably increased by the action of the Recorder.

659.

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2600. Will you take that return as correct (*Handing a Paper to the Witness*); it comes from official sources?—It is 57 evidently here, but I suppose that is up to the present time. When the canvass was taken last year there were not nearly so many; this return is absolutely worthless as regards the number of six-day licenses, at the time the canvass was taken. I should say that the present Recorder has increased the number by one-half what they were when he commenced.

2601. Has any similar action in favour of six-day licenses been taken by the licensing authorities in the other four towns, do you know?—I can answer that question generally, that all throughout Ireland there is a very strong feeling upon the part of the magistracy only to grant six-day licenses.

2602. Will you take the return in your hand again; how many assents from licensed persons to total Sunday closing did you obtain in Belfast? Two hundred and thirty-two.

2603. What is the total number of persons holding licenses in Belfast?—Six hundred and eighty-one.

2604. How many six-day licenses are there?—Forty-nine.

2605. How many six-day and early closing licenses?—Forty-seven.

2606. Will you turn to Cork, and tell me how many assents to total Sunday closing you obtained from licensed persons there?—Twenty-nine.

2607. What is the total number of licensed persons there?—Five hundred and eleven.

2608. How many six-day licenses?—Seventeen; and six-day and early-closing licenses 26.

2609. That would pretty nearly represent the total number of assents that you got?—Rather more, because we only got 26.

2610. In Limerick what was the number of assents from licensed persons?—Ninety-two.

2611. What is the total number of licensed persons?—Two hundred and ninety-seven.

2612. How many six-day licenses?—Sixty-five, and 13 six-day and early closing; making 78.

2613. From Waterford could you give us the same figures?—Sixty assents out of a total of 220 publicans, and 73 six-day and early-closing licenses.

2614. Does not that show, if not in Dublin, at any rate in the other four towns, that a very considerable number of the assents from publicans were due to their actually holding six-day licenses or six-day and early-closing licenses, they therefore being themselves personally interested in total closing on Sundays?—Yes, but it shows this also, that these publicans are so much in favour of it that they have actually voluntarily taken these six-day licenses.

2615. I thought you told the Committee just now that there had been a considerable pressure exercised by the magistrates in that direction?—That is in the matter of new licenses being granted; the magistrates have no power to compel a man on renewing his license to take out a six-day license.

2616. Have you not heard that considerable pressure has been put on in that way?—It cannot be done; it is positively illegal.

2617. Looking to the total results of this canvass, and the argument to be derived from it; have you ever seen this paper (*Handing a paper to the Witness*)?—No.

2618. Have

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2618. Have you heard of any similar canvass to your canvass being carried on in England?—I have seen reports of canvasses in England.

2619. Have you ever heard a statement of this nature or to this effect, "Inquiries have been carried out in 73 larger, and 58 smaller towns of England, and in certain places in Wales; 56 workshops in various places, and embracing many different trades, were canvassed, while a very accurate canvass of householders in Liverpool was made quite recently by a local vigilance committee, composed of many persons of influence. The total results of these various inquiries was as follows:—For entire closing, 479,766 votes; opposing, 63,847 votes." Have you ever heard a statement to that effect?—I have heard of the Liverpool canvass.

2620. Do you think that those figures are correct?—I have no means of knowing whether they are correct or not, but I should say that they would be correct.

2621. I gather from what you have told the Committee that in the six towns in Ireland in which your canvass was conducted last year, 69,325 persons voted for entire closing, and 8,888 against it. I find that the proportion for and against Sunday closing of those voting is very much the same in the English and in the Irish canvasses; do you consider that the argument to be deduced from the Liverpool canvass is that Liverpool is in favour of Sunday closing?—I would require to know as to the validity of the canvass in Liverpool, and I have no personal knowledge of it; I have simply read of it.

2622. Supposing that canvass to have been conducted so carefully and so thoroughly as yours was conducted, should you be of the opinion which I have put to you?—I should say that the people I have polled, and distinctly asked the question, in most of the great centres in England would be in favour of it.

2623. Taking those two canvasses, do you attach to the English canvass the same value that you do to the Irish one, supposing it to have been equally efficiently conducted?—I see no reason why the same value should not be attached to the English one as to the Irish one if it was conducted with the same care; but there is this difference that I apprehend that the Liverpool canvass was conducted by volunteer effort in the main, and ours was probably more systematically done, although I really do not know that it was.

2624. You spoke of a meeting in the Mechanic's Institute; what is the size of that room; how many persons would it hold?—That is a thing which you can scarcely get two people to be of the same opinion upon; I heard the Rotunda described the other day as holding 4,000, the real fact being that with the seats it holds 1,500, and with the seats out of it they can pack 2,000 into it, but not one more; I know that from paid entertainments, the receipts of which I have checked, and I know that from the proprietors who advertise the hall as capable of holding 2,000; that is, the room which has been described to the Committee as holding 4,000 people. My idea of the Mechanic's Institute, and I have been at more than 100 meetings there, is this, that by no manner of means could you get more than 1,000 people inside of it.

2625. Was it quite full on the occasion of the meeting when the honourable Member for Louth

Chairman—continued.

was in the chair?—It was quite full a quarter of an hour before the chair was taken.

2626. I think you have known Dublin before and since the alteration in the hours of opening on Sundays was made in 1873?—I have.

2627. Do you think that that alteration had a beneficial effect?—It had a beneficial effect in this way, that the streets on a Sunday evening are now perfectly still and quiet by half-past nine o'clock, which they were not when the public-houses closed at 11 o'clock on Sunday night.

2628. Do you think that it had an effect in decreasing drunkenness?—Measured by the police statistics or in the gross do you mean?

2629. Measured by the police statistics in the first place?—I apprehend that the returns from the Police Commissioners show that the convictions for drunkenness have rather diminished since 1872, at least that is my idea at present.

2630. Will you take this paper in your hand, which has already been before the Committee, and just look at Question 1188 (*Handling the same to the Witness*). Looking at the police statistics, do you consider that the alteration of the hours on Sunday has led to a diminution of drunkenness?—I find that the number of arrests on Sundays by the police in 1870 was 3,070. I find that in 1875 there were 2,261; 2,285 in 1874; 2,348 in 1875; and 2,492 in 1876; in other words, there were more in 1870 than in any year up to 1876.

2631. There were 2,492 cases this last year; how many were there in 1874?—Two thousand four hundred and eighty-four.

2632. Almost precisely the same, is it not?—Yes, taking those two years.

2633. Looking at the matter in the gross, do you think that it has decreased drunkenness?—Certainly, I think that Sunday drunkenness has decreased.

2634. On what do you base that impression?—First of all on the state of the city in the streets, and because of the opinions which working men have expressed to me.

2635. When you speak of the state of the city in the streets, do you mean because you do not see so many drunken people about?—Precisely so; not at that hour.

2636. They may be drunk in the houses, may they not?—They may certainly.

2637. How have you gathered the opinions of the working men?—For the last few years I have met masses of working men at their clubs and at meetings, and I am perfectly familiar with the working men in Dublin. I speak to them in the streets and I speak to them in the public-houses; I frequently go and talk to them there and I find this, that there is a pretty general feeling that the shortening of the hours was a great benefit.

2638. The consumption of drink has considerably increased in Ireland, on the whole, has it not?—I am afraid it has.

2639. Do not you think that the Sunday takes its share of that increase?—I should say it would; of course I have no means of knowing the actual fact.

2640. Are you acquainted at all with the police returns of drunkenness on Sunday in Belfast, Cork, Limerick, and Waterford?—No.

2641. Have you any reason to suppose that drunkenness on Sunday has increased or diminished



*Chairman—continued.*

nished in those towns since the houses were shortened?—I have no means of knowing.

*Mr. Maurice Brooks.*

2642. You said that you examined the petition in the vaults of the House; in what year was that?—The year before last, I think.

2643. So that it was the petition of 1875?—Yes, I think it was the petition of 1875.

2644. Do you mean that you were not referring to the petition of 1876, that contained the 12,000 signatures?—I answered the question of the honourable Member for Louth as to the petition that I examined.

2645. Did you examine the petition of last year?—No.

2646. With regard to the petition of 1875, which you examined, and where you found the names of "Tom Wheelbarrow" and others, do you know that it is said that those signatures were placed on that petition by the emissaries of the Sunday Closing Association?—I have an impression that some one said so.

2647. Do you think that any person really desiring the success of the petition would have put those names upon it?—I do not know; I should say not.

2648. Do you think that was a weak device of the enemy?—It might be a weak device of the grocers' assistants; you must just take the responsibility of where you place your petitions.

2649. Is it not believed that there were a number of persons' names to the petition that were forgeries by the grocers' assistants who desired to have the public-houses closed?—I do not know what is the opinion of everybody; I simply know the fact that the petition was lodged, and that those names were attached to it; I cannot say how they came there; I have no knowledge of that.

2650. I think you told us that you have had numerous letters from grocers' assistants, directing your attention to that petition?—Yes.

2651. Still you say that you were not aware of those names being there?—I had numerous letters, telling me that the petition was a fraud.

2652. And that those names had been attached?—No, I never said that; that is making me say a thing I did not say or even intimate.

2653. Did you not say that they came from grocers' assistants?—I said that I had letters from grocers' assistants stating that the petition was a fraud upon the House of Commons, and upon those letters I acted.

2654. How did they describe it as a fraud; in what manner?—Simply in the manner that I have described it to you. These were the terms they used, that the petition was a fraud, and they left me to find out how it was a fraud.

2655. Did you not think it your duty to inform this honourable House of the fraud imposed upon it, of which you were cognizant?—Yes, the House was informed of it, and the petition went before the Select Committee on Petitions.

2656. You say that those unreal names were attached to the petition, but not the names of your informants, who were cognizant of the fact?—I hardly understand your question. I never said that the names of my informants were attached to the petition at all. Allow me to put it clearly to the Committee. The petition was presented, and a good deal was made of it. I received letters from grocers' assistants stating that

*Mr. Maurice Brooks—continued.*

it was a fraud. I showed those letters to Members of the House of Commons. I examined the petition along with those other gentlemen; we found those names; the matter was reported to the Chairman of the Committee on Public Petitions; an examination by that Committee took place; and a report was made to the House. The Chairman of the Committee on Petitions reported that there were a great many bogus signatures and several forgeries; but that, looking to the fact that there were no indecencies such as distinguished the Manchester petition, which was presented a few years before upon a similar question, that there was no obscenity such as that on this petition, it was allowed to pass, but there was a distinct report that the forgeries were there, and that the bogus signatures were there.

2657. Were any of your correspondents stated by themselves to be accomplices in attaching those bogus signatures to the petition?—Certainly not.

2658. Was there a petition last year purporting to be from 12,000 working men against this Bill?—Yes, purporting to be from 12,000 working men.

2659. That petition you have not examined?—I have not.

2660. And you do not impeach it?—No, I do not; and there has been one this year from 14,000 working men in its favour, with all the trades and occupations and addresses given.

2661. I think I understood you to say that the Reverend Dean O'Connell, who is now deceased, was in favour of the Sunday closing measure?—Yes, he was.

2662. Are you aware that the Very Reverend Canon McCabe, the parish priest of Kingstown, a long time connected with the Metropolitan Church in Francis-street, was opposed to this Bill, and gave evidence before this House?—I am aware that he was opposed to it in the year 1869, but a good many people have changed their minds since that time.

2663. But you are aware that he gave evidence in this House in opposition to this Bill?—In 1868 he did.

*Mr. Murphy.*

2664. I believe that a portion of your duty as secretary, as you stated before, was to correspond with various agents and secretaries in various parts of Ireland?—Yes.

2665. Have you sent from the head quarters in Dublin to those agents or persons who would be in communication with the various towns, forms of petitions to be adopted, and to get them signed by boards of guardians and others?—Yes.

2666. Have you also, in communication with your agents, requested them to get the signatures of clerics in various towns, expressing their opinion in favour of the Sunday closing measure?—Yes.

2667. And those signatures were sent under a requisition to the Member to request that he would support the Bill for Sunday closing?—Yes.

2668. I take it that those signatures were procured by going from house to house to various parties and asking them to sign?—In no single case at all were they procured in that way.

2669. In what way were they procured?—By post.

x 3

2670. You

*Mr. Russell.*

16 March  
1877.

Mr. Russell.

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1877.

Mr. Murphy—continued.

2670. You say that in no case any corresponding agents in any towns went about and procured signatures of electors to a requisition to the Member for the borough?—In not a single case.

2671. Was it all done by post?—It was all done by post.

2672. How was it done; was there a petition or a requisition signed and presented to the Member?—The requisition was printed:—"I, the undersigned registered elector of," such and such a place, and so on, and addressed to the Member for the borough. A circular accompanied that requisition, directing the attention of the elector to it, and requesting him, if he was in favour of the Sunday Closing Bill, to attach his signature to it, and to return it. That was sent by post from Dublin in each case.

2673. In each case were they returned by the elector?—Yes, in each case.

2674. You say there was no single instance in which a requisition was headed upon an ordinary sheet of paper?—In no single instance in the history of the Sunday closing movement, that I am aware of, has that been done.

2675. Not headed and signed by the elector on that sheet of paper in Dublin?—In not a single case that I am aware of.

2676. Have you, or have any of the secretaries to the Association, ever sent a requisition signed upon a sheet of paper by the elector of any borough; and have you directly from Dublin, from the secretaryship of the Association, transmitted that paper to any Member of Parliament?—Yes; signatures have been cut from the documents that were signed, and they have been attached to a sheet of paper, such as you describe, with a requisition written at the head of it, and sent to Members of Parliament from Dublin.

2677. Am I to understand that each single signature that was attached to this sheet of paper, with the requisition directed to the Member, was the signature itself pasted upon the paper?—Those signatures collected by post were pasted to the paper.

2678. You are perfectly prepared to say that?—Perfectly; that is to say, in every case that I am aware of. I cannot answer for all the electors of Ireland in dealing with their Members.

2679. I am talking of yourself and your co-

Mr. Murphy—continued.

secretaries; have you ever transmitted to a Member of Parliament for Dublin, from your association, a requisition purporting to be signed by the electors of a borough, to a piece of paper headed thus:—"We, the undersigned, beg to call your attention to the Sunday Closing Bill," and so on?—I am not aware of a single case in which any other course has been adopted than the one which I have described, namely, that of pasting the original signatures to that document, but where there have been two Members representing the same borough, it is quite possible that a copy may have been made for the other Member, the senior Member getting the original, and the junior Member the copy. That is probably what is in your mind.

2680. No; I am aware of the fact that I have in my hand a requisition signed by the electors of a certain borough, which was transmitted to the Member, not by the electors, but by the secretary of the Sunday Closing Association?—In every case it was the original signatures pasted to the document.

2681. And that was sent to the Member direct from the Sunday Closing Association?—In some cases it has been so done; in others, it has been forwarded by the electors themselves.

2682. But there are cases in which you have sent direct from the association to members for boroughs or counties, papers signed by the electors?—Yes.

Mr. Sullivan.

2683. Will you take that card in your hand (handing a card to the Witness). You heard the evidence given the other day, about admitting a large number of people secretly by that particular card, before the public were admitted to the recent Rotunda meeting against the Bill?—Yes.

2684. You heard it intimated to the Committee, that that was a sort of ordinary thing in Dublin, at all events at elections?—I did.

2685. Although at Sunday closing meetings there has been disturbance from some few people, bricks thrown and so on, was ever any such resource as that adopted by the Sunday closing meeting people?—Never.

2686. There has never been any attempt in that way to pack the meeting under the pretence of protecting the platform?—Never.

Mr. JOHN THOMAS DUGAN, called in; and Examined.

Chairman.

2687. You are Secretary of the Brassfounders Society of Dublin, are you not?—Yes.

2688. Has any meeting of the trades of Dublin appointed you to appear here on their behalf?—Yes.

2689. What did that meeting represent?—It represented about 4,000 of the tradesmen of Dublin.

2690. How many separate trades did they represent?—I think 18; including bookbinders, brassfounders, coopers, corkcutters, hatters, plasterers, slaters, basket-makers, lithograph printers, skinner, paviors, trunk and casemakers, ropemakers, horsebores, silk weavers, engineers, pipemakers and plumbers. There were others that signed the petition last year; but the time was so

Chairman—continued.

short that we were not able to get them together. We had only three days' notice altogether.

2691. When was the meeting in question held?—On last Monday.

2692. How many persons attended that meeting?—There were two from almost every trade that I have named. In one instance there were three, and in two or three instances, one.

2693. Were they appointed by meetings of their trades to attend?—Yes.

2694. How many trades are there in Dublin altogether?—I believe there are 53 trades' societies. In some instances there are three or four separate societies of the same trade, which count up the 53.

2695. In any of the trades that you have

named

Mr.  
Dugan.

## Chairman—continued.

named as being represented at the meeting which selected you to appear here, are there other societies besides those who were represented at that meeting?—There are several.

2686. Speaking on behalf of those who selected you to appear here, what are their views upon the question of Sunday closing?—At least five-sixths of those whom I represent are entirely opposed to Sunday closing, for several reasons. There were 24 trades' societies that held general meetings, in some instances, two or three general meetings on the subject, and if my memory serves me correctly, at least 24 or 26 trades' societies sent petitions last year against the Sunday Closing Bill.

2697. Is that against total closing on Sundays, or against the shortening of the hours on Sunday as well?—Against total closing on Sunday.

2698. Are they opposed, do you think, to a shortening of the hours on Sunday?—I do not think that they have considered that question very much; but I do not think they would be opposed to a shortening of the hours.

2699. Do you think that they would agree to the public-houses in Dublin being only open on Sundays from 2 o'clock till 6, or something of that kind?—There is a feeling amongst the working men, at least a great portion of them, that if the public-houses were closed, the beer-houses that are at present in the city would be more largely frequented than even at present, when the legitimate ones are open. Men go to houses where they have beer houses, but I cannot say where they get drunk.

2700. And that would apply, do you think, to a shortening of the hours as well as to total closing on Sundays?—I think it would; that is my impression.

2701. For what other reason are the trades whom you represent opposed to total closing on Sundays?—They are entirely opposed to the measure on account of drink being brought into the houses, and having it to drink before their families. A tradesman might be out taking a walk on Sunday, and he may say to a companion, "Come along and have a glass" at my house. They might do that, and their wives might be asked to take it, or their children would be asked by their friends to take a dip of it with the rest and taste it. Those would be some of the reasons why tradesmen (I do not speak for any others) would be entirely opposed to it. They also look on it as a measure depriving them partly of their liberty and their free will. There is one thing they would entirely go in for, and that would be for the police to have more vigilance, or to get more power in putting a stop to illicit traffic, for I know from my own experience five or six houses where I could get in at almost any hour on Sunday morning. I live at 17, Lower Gloucester-street, and there is in that street Gloucester Diamond. I generally go to prayers in the morning about 8 o'clock, or a little before, and in the centre of that Diamond I see a boy, or a young lad perhaps, 16 or 18 years of age, or sometimes younger, and he can see up and down and crosswise. A policeman could not come within 300 or 400 yards before he would be seen, and I have heard some shrill whistle given by the lad putting his finger in his mouth, and I have seen men coming out of the houses immediately.

2702. Are the persons whom you represent in the habit of making excursions out of Dublin on

## Chairman—continued.

Sundays?—As a rule the tradesman of Dublin generally goes out to Kingstown, or Bray, or Killybeg, and he goes in the Park on Sunday after dinner; I go there frequently myself, and I expect that others do the same.

2703. What would be their view as to closing public-houses entirely on Sundays, outside the municipal limits of Dublin, and opening them partially inside?—They would think it a very hard case if, after going to Kingstown, or Bray, and taking a walk, they could not get a glass of refreshment of some kind, or if a shower of rain came on they would have no place to go to.

2704. If they went as far as Kingstown or Bray they might be dead *à la* travellers, and they might get refreshment?—I cannot say what their feeling is upon that matter.

2705. Are you yourself a working house-founder?—Yes, I am foreman of that branch in Rose & Murray's for the last four years; I have been upwards of 18 years in the firm; I served my time in it as journeyman, and I am foreman over one department of it now.

2706. Are you receiving weekly wages?—Yes.

2707. Has this question of Sunday closing been discussed at meetings of the societies which you represent here?—It has.

2708. Have resolutions been passed upon it?—Yes; I may mention that some time last year three or four working men, when they heard of this movement for total closing on Sunday, spoke amongst themselves and at their trades' societies; I would say that first of all people came to the trades' association meetings one night, and they asked the council of that association what were their views and would they oppose the measure; the affair was postponed till the following meeting; there was a long discussion, and it was postponed till that night week; that was on a Monday after, I believe, and it was resolved there that the trades' association council would oppose the Sunday closing measure. A committee were formed of these parties that came down first with some others from the trades' association, and they waited on the different trades' societies, or at least a great number of them, and they told us that petitions would have to be sent, I believe, in three weeks from that time, and we would have to do it at once; they waited on as many trades' societies as possible in the time; and the consequence was that they called general meetings of either 24 or 36, I am not quite sure, and signed petitions against total Sunday closing.

2709. Have you been present at any public meetings that have been held upon the subject?—I have never been present at a public meeting held for what I thought the Sunday closing movement, in favour of it, never, nor would I attempt to go to one of them.

2710. Have you been present at any held against it?—On one occasion, the one that was held in the Rotunda some short time ago, in which I happened to be struck by a stone, I was one of the honorary secretaries of that meeting.

2711. Was that meeting largely composed of the members of all trades?—It was.

## Mr. Lee.

2712. You say that you were appointed on Monday last, I think?—Yes, on Monday last.

2713. Where was the meeting held at which you were appointed?—At No. 108, Middle

Abbey-street, Mr. Kelly's auction rooms.

2714. That

Mr.  
Dwyer.  
16 March  
1877.

Mr.  
Duignan.  
16 March  
1877.

Mr. Law—continued.

2714. That was attended, I think you say, by on an average, two of the 17 trades that you mentioned?—Yes.

2715. Did no persons come from the other 52 trades' societies?—None others; I may mention that a circular calling the trades' delegates together was printed on Saturday, and sent round on Saturday and Sunday and Monday morning early.

2716. Was that sent to the 52 trades' societies or only to the 17?—It was sent to every trade society at the place where it meets.

2717. Have you got a copy of that circular with you?—I am afraid I have not; I could nearly tell you the substance of it.

Mr. Sullivan.

2718. Is this a copy of it (*handing a paper to the Witness*)?—No.

Mr. Law.

2719. Will you tell us what the substance of it was, and who it was signed by?—It was signed by me. This is the second circular that was sent out since that Mr. Sullivan has shown me.

2720. This circular that you speak of summoning a meeting for Monday, was signed by you in the capacity, I suppose, of secretary?—No, as honorary secretary of the Rotunda meeting. There were two or three preliminary meetings that were held in the Painters' Hall, Amgler-street, against this movement.

2721. It was in that capacity that you signed the circular?—Yes.

2722. Will you give the substance of the circular?—It was?—You are requested to send delegates to a meeting to be held in Mr. Kelly's auction rooms, 106, Middle Abbey-street, on Monday evening; I think it was at 8 o'clock, "for protesting against the Sunday closing movement in Ireland."

2723. That was presented to the 52 trades' societies?—Very nearly all; there might be one or two that escaped.

2724. And 17 of them responded to that circular?—No, not the first night; there were 15 then, and there were two extra ones on the second occasion.

2725. Then it was repeated, I presume, and in all 17 came in?—Yes.

2726. To whom was the circular addressed in each of those cases; was it addressed to some of the officers of the trade societies?—It was usually addressed to the president and secretary of each society.

2727. Even with the 17 trades who answered and eventually came in and joined in the movement, I presume they were not delegated by a meeting of the general body, but simply by the council?—They had been delegated to the meeting in Amgler-street, at the Painters' Hall, nearly a fortnight previous to that.

2728. Was that a meeting preparatory to the Rotunda meeting?—Yes.

2729. Then, in fact, before this circular was issued, many of those 17 trades, we may take it, had in some way or other joined against the Sunday Closing Bill?—Yes; there were two or three others present at the meeting in Amgler-street who were not present at the last meeting; and I think the reason of that was that they did not get the circulars, because the president or the secretary does not always go to his house of

Mr. Law—continued.

meeting, and in some instances I find that they have not got them even yet, that they were lying at the bar of the public-house or place where the society was held.

2730. As a matter of fact, where does your own Society, the Brass Founders, meet?—No. 1, Bachelor's-walk; the "Metal Bridge Tavern."

2731. Where do the other 16 trades which you represent meet generally?—They very nearly all meet in taverns or public-houses; we have scarcely any trades' halls.

2732. On what day do they generally meet?—Nearly all on week days; there are two or three of them meet on Sunday, and those ones that meet on Sunday meet in a large house in Thomas-street; the bottom part of it is a baker's shop, and not a public-house.

2733. But I suppose we may take it that of those 17 trades that you now represent, they all hold their meetings in public-houses?—Nearly all.

2734. Has any public meeting of the tradesmen or workpeople in Dublin ever been held to protest against the Sunday Closing Bill until the one at the Rotunda that you spoke of?—None that I am aware of.

2735. You say that five-sixths of those that you represent would object to closing the public-houses on Sunday, because it would increase the drinking in beer-houses?—Yes.

2736. And they would object to take their refreshments in their own houses?—Yes, they would object to bringing it home on Saturday night, and then having it on Sunday.

2737. If they actually wanted it, would there be any difficulty in their taking it in on Saturday night?—I do not think that there would be any great difficulty; but the trading classes, I think, generally take draught ale or beer with their dinner.

2738. If they do, they must bring it into their houses?—Yes, they bring it in on Sunday.

2739. May we take it to be the case that the working classes in Dublin, as a matter of general habit, drink draught beer or porter with their dinners?—I speak for myself. I have not happened to dine with any of my fellow tradesmen on a Sunday that I am aware of. I never drink bottled beer or ale, or porter on Sunday at dinner. In fact, as a general rule, I never drink bottled porter. I like draught XX., which is what I take.

2740. Is beer or porter in any shape the habitual drink of the working people of Dublin as compared with whiskey?—I believe beer and porter are the principal drinks.

2741. More than whiskey?—If I went into a drinking tavern on a Saturday or a Sunday there would be more pints of porter called for, I think, than half glasses of whiskey; that is my impression.

2742. Supposing that drinking in unlicensed houses, or the lower class of beer-houses, should be put a stop to, would that remove a great part of your objection?—It would, and I think that it would also remove a great part of the drunkenness.

2743. The people that you represent would be in favour of more stringent regulations for putting down that class of house?—They would.

2744. You say that most of the tradesmen and workpeople go out on excursions to the country on Sunday?—I judge from the great number of people

Mr. Law—continued.

people that go to Kingstown and Bray, and that direction on Sunday; the trains are nearly always full from a certain hour on Sunday after dinner, and there is a tremendous rush to Kingstown, Bray, and that direction.

2745. For those who resort to the country for fresh air and refreshment occasionally, they would be able to get such refreshment as they needed as *land-side* travellers, would they not, and therefore this measure would not affect them?—If there were parties to remain in the public-house constantly to let them in if they required it, I suppose it would not affect them much. I do not know whether that would be so or not.

2746. Do you think that there would not be some public-houses, at all events, which would be open for that class of people; if a large part of the working classes of Dublin go out into the suburbs upon the Sunday there would be custom for sufficient number of houses to keep them open?—I suppose so.

2747. Then that inconvenience would not occur?—There are other directions in which all classes of people go; they go out to the Phoenix Park, and to Drumcondra, and they go and take a walk, and it would inconvenience them greatly if they could not have a glass of beer.

2748. If they did not go so far from home they might have it when they came back in their own homes?—It would be a long walk from one end of the city to the other, and back again, without having something to drink. If it was a very cold day, or a very warm day, I should not like to walk from my residence to the Phoenix Park and back for two or three hours, and not get a glass of something.

2749. A great number of people go out you say to the southern suburbs, Kingstown, Killiney, Bray; and a great many go out to the northern suburbs, to Howth, and Dollymount, and those places?—Yes, and they go to Rathmines, Sandymount, and other places.

Dr. Cameron.

2750. You mentioned that the persons who were at the meeting that elected you to come over and represent their views here, were chiefly delegates who had been sent to a meeting previously held in the Painters' Hall I think you said?—Yes.

2751. Was there any formal minute made as to how they should conduct themselves at the Painters' Hall meeting; that is as to how they should vote?—No, they were sent to the Painters' Hall meeting, I believe, by their trades societies to protest against, or to come to some arrangement for protesting against, the Bill.

2752. Was that arranged at the meeting in the Rotunda or at the Painters' Hall?—It was in the Painters' Hall that it was resolved to hold a meeting in the Rotunda.

2753. Was there any adjournment of the meeting, or did the delegates retain any right to speak on behalf of their trades after the meeting was over?—The delegates had consulted their trades societies, and, I believe, they had given them the privilege to remain delegated against this measure.

2754. You believe that, but was there any definite resolution or anything of the sort passed on the subject?—I cannot say what was passed in any of the trade societies, whether there were any circulars issued or whether the delegates attended.

Dr. Cameron—continued.

2755. Circulars were issued on the Saturday, and your meeting was held on the Monday?—Yes.

2756. Was there any special meeting of the trades to re-appoint those delegates?—Most of the trades met on the Saturday evening.

2757. You told us that circulars were distributed on Saturday, on Sunday, and on Monday?—Yes; most of them met on Saturday, a few on Sunday, and a great number of them on Monday.

2758. Have you any information as to the number of trades that held meetings to appoint those delegates that you speak of, who attended the meeting at the Painters' Hall?—I believe that the plumbers held a special meeting of their council, and I think the coopers and the hookbinders did the same; I do not know of any others.

2759. That is to say, there were three trades held special meetings to appoint delegates?—That is my own knowledge; I am not speaking of the others.

2760. I am simply examining you as to your credentials; of course I have no knowledge of the matter, and I must refer to your knowledge, and I ask you what your credentials are; you say that you know of three meetings of three trades out of 17, who were represented at the large meeting, and who appointed delegates who elected you?—Yes.

2761. Then you know nothing about the other 14?—I do not.

2762. In the 52 trades are the labourers represented?—No.

2763. Is there any association whatever of labourers?—I believe there is an association, but I am not quite sure.

2764. Are there a very large number of labourers that are not called by a trade name?—There was a man belonging, I believe, to some class of labourers association at one of our meetings who spoke, but we could not get from him that he had been delegated from his body, or that he belonged to a body, or that there was such a body.

2765. I want to get from you the exact manner in which you are delegated by the trades of Dublin?—I am not delegated by all the trades.

2766. So far as I understand you, you only know of three trades, who, in response to your circular, held a meeting and appointed delegates; who appointed you?—The delegates at the meeting said that they would allow the power to remain delegated as long as this question was in agitation since this time twelve months, and all these trades have been very warm on the subject in condemnation of the Bill.

2767. The delegates who elected you, with the exception of those six, were not appointed for that purpose at all; how many delegates of trades were there at this meeting?—I should say about three trades.

2768. And of the 34 delegates who attended this meeting, there were only six that you know to have been actually appointed for the purpose of selecting a witness to come before this Committee?—That was during the three days' notice that I spoke of.

2769. You did not call upon the rest to produce any credentials?—They were simply asked whether they were delegated from their trades, and they said, Yes.

2770. You

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2770. You required nothing beyond; no verification?—No.

2771. And the labourers were not represented at all?—We objected to this man at that meeting, because at first we thought he was delegated, and we drew it out from him that he was not.

2772. Have you any idea of the number of labourers connected with the Labourers' Association?—I have not.

2773. I presume there are more labourers not connected with the association than are connected with it?—I am not sure; I do not know anything at all about the Labourers' Association.

2774. Have you any official position in connection with the Council of the Trades' Association?—I was vice president for, I think, about 18 months.

2775. Do you at present hold any office in connection with it?—No, I hold no office whatever.

*Mr. Maurice Brooks.*

2776. Have you any pecuniary interest in this question?—Nothing whatever. I took up the matter last year when the Members came down and spoke at the trades' council. I took an interest in it then because I felt that it would be a great hardship to deprive us of what we looked upon as our legitimate right.

2777. When you speak of the tradesmen in Dublin, I suppose the Committee may understand by that you mean skilled mechanics as distinguished from unskilled labourers?—Yes, certainly.

2778. In speaking of tradesmen, you are not speaking of shopkeepers?—No, I am speaking of skilled artisans.

2779. Do you know whether any protest has been made on the part of or by any of the skilled mechanics to your appointment, or to your position as secretary of your Artisan Society?—None whatever.

2780. Are you fully recognised by them as their mouthpiece?—I am recognised by them as being the secretary of my own trade. I have been the secretary, and have been known for about five or six years.

2781. And there has never been any protest made against your representing them here?—No.

2782. Then you are fairly their mouthpiece?—Yes. I was delegated by my own trade to go to these preliminary meetings in Angier-street in the Painters' Hall, along with the president of my society.

2783. Do you think that there is any organisation existing in Dublin that is more fairly representative of working men than that which you represent here to-day?—I know of none whatever, speaking for my own body.

2784. Do you know whether the unskilled labourers, such as drivers, bricklayers, cooperages, and all that class have any organisation for the maintenance of wages or other purposes connected with their daily labour?—I believe that the hulkers' labourers have an association, but I am not quite sure.

2785. With regard to the question of the dinner beer, so called, you say that it is your habit, and the habit of other working men, to bring your dinner beer from the nearest public-house and consume it with your food?—Yes.

*Mr. Maurice Brooks—continued.*

2786. Why do you not obtain it in bottle, and so avoid sending to the public-house?—In the first place, individually I do not consider bottled porter so palatable as draught XX; in many instances it is thought by the working men that there is soda in bottled porter, and that it is not so palatable either; that there is a mixture in it.

2787. You think that it is adulterated?—Yes.

2788. You have not the same confidence in beer which is sold in bottles as you have in beer drawn from the cask from a recognised brewer?—We have not so much confidence in bottled porter as we have in draught XX.

2789. Do you know why it should not be as well to drink whisky with your food as beer; why do you prefer beer?—It is more palatable; besides, whisky is more expensive, too. I can have a pint of Guinness's XX for 3d., and if I want to get good whisky, I should have to pay 4d. a glass for it.

2790. Have you ever tried to drink beer on Sunday that has been drawn from the publican on Saturday?—On one occasion when I went on an excursion to the country, five or six of us young men went together, and took a car, and we went somewhere into the county Wicklow, and we got a jar of porter holding, I think, about two gallons. It was a very warm summer's day, and when we opened it at dinner, I for one did not like it, and a great many of the others did not like it.

*Dr. Cameron.*

2791. Did you drink it?—We did not drink much of it.

*Mr. Maurice Brooks.*

2792. Do you know of any Working Men's Club in Dublin that would supersede the public-house, supposing that they were closed on Sunday?—I do not know of any that would supersede them.

2793. Do you know of any attempts in that direction which has already been made to form Working Men's Clubs, so as to avoid the public-houses?—There is a Working Men's Club in York-street, but, so far as I am aware, that is the only one.

2794. That is a Teetotal Club, is it not?—Yes; that is a Teetotal Club.

2795. Are you aware of any effort having been made to establish a Working Men's Club where he could get his beer?—At the time this movement was spoken of first, there was a protest against the movement, and it was spoken of at the council of the Trades' Association that Working Men's Clubs could be established on the same footing as gentlemen's clubs, and that they might have beer in them.

2796. Do you know if there was any effort made to establish them?—None whatever; at least I do not know of any.

2797. From your experience of working men, could you inform the Committee of any co-operation on the part of working men with the Sunday Closing Association?—I know of none; the trades that I am aware of have never taken any part, as a body, in any movement for Sunday closing.

2798. What is your opinion as to the effect of Sunday closing upon the morality of working men in Dublin?—I have spoken to the men in the same shop as myself, and they say that they would not like it at all; they would not like drink brought

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brought into their house, and they do not think that it would lead to the morality of their families; they would not like to have their children taking drink or tipping, as it would be sure to be offered to them by friends and parties coming in, and if you have whisky or porter in the house such would be the fact. I have also heard from Scotchmen who work in the shop with me the effect that it has had in Glasgow, and some of those Irishmen also, who went over there to seek work and got it, say that the publicans hard by need to send drink up to their lodgings for consumption on the Sunday, and that that went on every Saturday night; that they drank so much of it, and sometimes all of it, and what they did not drink on the Saturday night they drank on the Sunday morning, and in many instances that they did not go to church, chapel, or meeting.

2799. Was not the establishment in which you work, that of Ross and Murray, a house founded by two Scotch gentlemen, Mr. Ross and Mr. Murray?—Yes.

2800. Is the establishment not largely peopled by Scotch workmen?—Yes, it is.

2801. Is it, as it used to be, peopled by a majority of Scotch workmen?—I believe it is.

2802. Do you know the opinions of your fellow-workmen in that house who are Scotchmen?—I have spoken to several of them, and some of them in particular, two or three days before I came away, and they are entirely opposed to Sunday closing, seeing the bad effects that it had in Glasgow as they say they could get drink at any time at all in Glasgow without being genuine travellers. They could go into a house and all that would be asked would be, Are you a traveller? and they would say Yes, and they would call for what they wanted, and drink it. I was told by one man that when he went into some houses, there were at least a dozen glasses of whisky filled, ready for the drinkers, and that they had only to ask for it and drink it.

2803. Do you know whether in the public-houses in Dublin card-playing is permitted on Sundays?—I could not say; I do not know that of my own knowledge.

2804. Do you know whether that happens in the houses of working men on Sundays?—I believe it does.

2805. Would that practice be likely to increase if the public-houses, which are now under the supervision of the police, were closed?—It might lead to that.

2806. Do you know whether the police prevent people playing cards, or billiards, or bagatelle throughout the whole of the Sunday in public-houses?—I think they prevent them playing billiards or cards, before two o'clock, at all events.

2807. Is it a matter of inclination on the part of the men, or is it by the incursions of the police that gambling is prevented in public-houses?—I could not say that; for my own part I have often played bagatelle on Sunday in the reading-rooms, of which I am a member, called St. Mary's Branch of the Catholic Union; there is a small bagatelle table there, and we play on it before two o'clock on Sunday, and there are draughts and other things that we can recreate ourselves with if we wish.

2808. But not in a public-house?—No, not in a public-house.

2809. Can you explain the complaints of the judges and the magistrates upon the great in-

Mr. Maurice Brooks—continued.

crease of drunkenness in Dublin amongst working men?—I could not.

Mr. Murphy.

2810. The honourable Member for Glasgow spoke to you about the delegates that were appointed, and who attended that meeting the other day; have you any doubt whatever that they were duly authorised by their respective trades to represent their opinions?—Not the slightest.

2811. You spoke about the habit of the artisans and the working men of Dublin to take beer at their dinner on Sunday; is it your opinion that if the public-houses were entirely closed, and they were prevented from getting their draught beer on Sunday, those who would wish to have drink would bring whisky into their houses instead of porter?—It is my impression that they would do so.

2812. It is needless to ask you what demoralising effect that would have amongst the wives and the children?—That is the opinion of the working men generally.

2813. That they would be driven to bring in whisky instead of porter if the public-houses were closed on Sunday?—Yes.

Mr. Bruce.

2814. I suppose that the trades' society with which you are acquainted, would be anxious to take any steps that they could in reason to diminish intemperance in Dublin?—I am sure they would.

2815. Is it your opinion, knowing them as you do, that they consider that the intemperance which comes before the magistrates, is not due so much to drinking on Sunday as to the drinking on Saturday night?—The impression is that the Saturday night drinking is the cause of it; and we also believe that it is not the respectable artisan or the artisan class who are taken up on either Saturday night or Sunday. There are a great many people in Ross and Murray's, and if they were taken up on Saturday night for drunkenness they could not be in at their work by 10 o'clock on Monday morning, because they would have to be in the police court.

2816. In that establishment it is the fact that most of the men, or nearly all of them, appear at their work on Monday morning, and regularly go to their work?—Most of the men, I might say all, appear at 10 o'clock. A great many men stop out the first quarter from many reasons, some from a natural inclination not to get up early on Monday morning, or they might be tired after Sunday. I have many times knocked out on a Monday morning myself, when I did not take more than a glass of whisky on Sunday, or often not a pint of porter on Sunday. I am a good many years in the establishment, and no one has ever yet seen me under the influence of drink, or anything approaching to it.

2817. Do you think that the trades would be opposed to a shortening of the hours on Saturday if they thought that it would conduce to more temperance?—I do not think they would oppose it. I am quite sure that if there was time allowed to the trades societies to hold meetings, the vast majority of the trades societies of the city of Dublin would oppose the present Bill; and from my experience it will take at least from six to eight weeks to get all the trades societies together, because some of them do not meet for a month,

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and they would not summon a special meeting especially for the purpose, they would wait until their time of meeting would come round and then summon them, and I believe it would take nearly two months to get at the reasonable view of the trades societies on the matter.

Mr. Sullivan.

2818. Then you cannot represent the trades here to-day; is that so?—I speak for the trades that I represent.

2819. Then you represent only a small section of them; is that so?—I believe that I mentioned 17 or 18 trades. I mentioned the names.

2820. The way in which you assume to represent them is that at that meeting the men said they were delegates?—Yes.

2821. But that was not what was called a verification of their credentials?—In the same way as I said I was a delegate myself.

2822. There was no verification at all?—No.

2823. I thought I understood you to say that some of those people were acting upon what they considered an authority given a year ago; was not that so?—Yes.

2824. Surely there was no question a year ago of sending any one here to represent them on the point of evidence?—No, but there was a question of getting petitions up against Sunday closing.

2825. And what had that to do with the delegates?—None, that I am aware of.

2826. I should think so; what authority had those people to delegate to you?—There were two delegates that said that; I think the slaters' trade was one; I would not be sure about the other; they said that they considered that they held the representation in consequence of the meetings that they had held a year ago. One of those delegates either proposed or seconded a resolution at the Rotunda meeting, and his trade society did not contradict him.

2827. But, as a matter of fact, you are not able to tell us, except in the case of the three societies, that the people who sent you here had any authority from their trades so to do beyond what they said at the moment?—None whatever.

2828. They produced no document authenticating their power?—No document was produced by them. I might tell you that in the United Trades Association Council they produced no document of their going there as delegates. If there are two delegates in a trade society, one having been there before, he introduces the new one as his fellow-delegate.

2829. The man who is in introduces the other man, and he vouches for him, but there was nothing like that here?—Not that I am aware of.

2830. You had convened a meeting (previous to this one at which you say you were appointed) for a previous day, and that was a failure, was it not?—I was appointed at the first meeting; the minutes of that meeting were read; and the parties present then gave their attention to it. There were six chosen at the first meeting, and that was put before the meeting again, and there were four others proposed at the second meeting.

2831. There was a circular issued, was there not?—Yes.

2832. Did you issue it?—Yes.

2833. Now listen: "A circular having been issued, calling a meeting of trades delegates on Monday evening last, for the purpose of choosing from amongst them some persons whom they

Mr. Sullivan—continued.

would wish to represent them at the examination now being held in London on the Sunday closing question;" was that meeting held?—It was.

2834. Was it a failure, that is to say, so few attended?—No, but to get the opinion of a larger number it was thought well to adjourn the meeting until Wednesday, I think was the night, and get the feelings of a larger number on the matter.

2835. Because there was so few at the first?—That is what was considered.

2836. Then the next sentence is, "In consequence of the small number of trades represented on that occasion it was resolved to postpone the meeting until Wednesday;" you considered that you had too small a number at the other meeting, did you not?—Yes.

2837. Will you tell us what was the difference between the two, the small meeting and the one that was subsequently held, was it only two?—I think it was two.

2838. There were 15 at the small meeting and 17 was the biggest meeting that you could get up?—I would not say it was the biggest that we could get up.

2839. How came you to have a second one?—The reason why there were so few of them on the Monday was that many of them did not get circulars. I could almost vouch that some of them have not got them yet.

2840. And therefore your authority is so much less?—I am speaking for the trades that I do represent.

2841. You are telling us now that the names of the trades could not have got the invitation, and consequently your authority is so much the less; is not that so?—I suppose so.

2842. You said that it would take from six to eight weeks to convene all the trades; how many tradesmen do you think there are in Dublin altogether, of every kind, are there not 30,000?—No, not that I am aware of. If you ask me how many belong to trades societies I could give you a fair guess.

2843. I mean the tradesman class, because the Committee have to consider the convenience of the tradesman, whether he belongs to a society or not; are there 20,000 or 25,000 working tradesmen in Dublin?—I do not think there are.

2844. If Mr. Carey, of the Licensed Victuallers' Society, said that there were 25,000, would you say that he was exaggerating?—I think he would be.

2845. Would 15,000 be an exaggeration?—No, I think there are over 15,000.

2846. And a very small part of them only you can speak for?—That is so.

2847. How many belong to your own society; are there 150?—No, there are about 100 in my own society.

2848. Do your societies chiefly meet in public-houses?—Yes.

2849. Do they pay rent for the room?—Yes.

2850. In every case?—In every case that I am aware of; I do not know of any case where they do not.

2851. I know that you are a most excellent representative of the trading class, and I ask you has it not a most demoralising effect upon a large body of all trades, that they have to be meeting in those public-houses?—I believe that it would be better if we could have other houses; but the misfortune is that we have no others to meet in.

2852. I feel



Mr. Sullivan—continued.

2852. I feel with you entirely upon that point; but do not you think that the publican in whose house each trade meets has a certain influence; I will not say now an all-powerful influence; but do not you think that he has an influence with the officials of that particular trade?—I speak for myself.

2853. I will not ask you about yourself, but as a general rule?—I cannot say that they have influence.

2854. Do not you think it natural that the publican would have?—No; I take myself for an instance. The landlord of the house where my society meets has no more influence on me than you have, and that would be very small.

2855. You are an exceptional person; you are foreman of one of the largest establishments in Dublin, are you not?—I am one of the foremen.

2856. That could not be said by all the other secretaries, could it?—I will not be positive that the other secretaries are the same as myself.

2857. You have told us that, in the case of the tradesmen that you mix with, one of their great objections to Sunday closing was that they did not want the drink to be coming into their homes, as it would produce demoralisation?—Yes, I think they put something like similar words in the petition which they sent to the House of Commons last year.

2858. Do not they every one, if they abuse, bring drink constantly into their houses themselves, as it is?—I am not sure.

2859. Did you not give us evidence that there was a considerable trade in draught beer in jugs?—Yes, at present.

2860. Does not that contradict what you say?—I did not understand your question.

2861. They do bring drink, then, where their children and wives can sip it?—They bring drink for their dinner and supper; I do myself.

2862. You said that they would object to having drink brought into their homes; but if that is done at present why should they complain?—They would be limited in quantity.

2863. How much larger quantity would they need on Sunday?—If a man thought he would not have anything to drink all day out, he would bring in as much as he thought he would usually drink on the Saturday I should think. If I was taking a walk, I would like to have a drink when I come home. If I did not get it out, I would have it at home when I come back. At present I sometimes have some drink in my house. I endeavour, to the best of my ability, to keep my house as respectable as possible.

2864. Speaking for your class, the respectable working classes of Dublin, are they as capable of self-control in their humble home as the richer classes?—I would not say that they are in all instances.

2865. Do you say for your class that they are not worthy of being trusted with self-control in their own homes?—Not many of that class generally.

2866. Tell us, for your class generally in Dublin, are they worthy of being trusted with self-control in their own homes, as worthy as the richer classes?—Certainly.

2867. Have the richer classes facilities of having drink in their homes?—They have.

2868. Why should the working classes be afraid that there would be greater demoralisation in their case than in that of the richer classes.

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The rich man has the decanter on his sideboard. Why should the poor man think that his wife would be worse than the rich man's wife; tell me that?—I cannot exactly tell you; it is an opinion that has been given by the workmen themselves.

2869. Do not you think it is a very insulting opinion to the humbler classes that they are not as worthy of that control as the rich?—I would not say that they would not be as well worthy of it as the rich. I think that the working classes are as capable of minding themselves as the richer classes. I would be very sorry to say that they were not as capable of minding themselves as any honourable gentleman here.

2870. I should hope so, and therefore that no greater danger would exist in the homes of the working classes from their having drink in the house on Sunday than exists in the homes of the rich classes where they have the decanter on the sideboard all day; is not that so?—I think there would be to some extent.

2871. How can that be, if he is as worthy of self-control as the rich?—A vast majority of them are as well worthy of self-control.

2872. We are not talking of the majority or the minority; we are dealing now with the great bulk of the working classes; you say that they are as worthy of being trusted with self-control in their own homes as the rich are in that respect; can you, on behalf of the body of working men, say that they are afraid to trust their wives with drink in the home, seeing that rich people trust their wives; tell me that, you who undertake to represent the respectable trades of Dublin?—That was the opinion expressed at the meeting.

2873. I am very sorry to hear it, for I had a higher opinion of them than that?—It was the wording of the petition; the petition was drafted by the working men.

2874. Do not you see that that involves this stigma and slur on them, that they are not as worthy of self-control amongst their wives and children as the rich, who have the decanter on the table freely on Sunday?—I think that there is a difference between the two classes in this way, that, from any little experience I have had, the rich man does not treat his fellow companion in the same way as the poorer class. I do not think that if a rich man had a friend call in to see him, and he asked him to have a glass of wine or a glass of punch, or anything of that sort, his friend would offer a taste of it to the children.

2875. Do you mean to imply that the tradesmen of Dublin are not as fond of morality, and the training of their children, as the rich are?—They are.

2876. And they would not do an evil thing for their children any more than the rich would?—I will tell you my own experience of the matter. On many occasions, when I was spending an evening out with a friend, when taking a glass of punch, I have called one of the children to me and given him a taste.

2877. Was that good or bad?—At the time I did it with the best intentions.

2878. Have you done that more than once?—I have several times.

2879. Have you done it often?—Yes, often.

2880. Have you had any thought that you were doing good or bad for the children?—I never cast a thought on it.

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2881. Would

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2881. Would you think so from this hour?—I do not know that I would.

2882. Then it was not worth a thought?—Perhaps not.

2883. Then why did you undertake to give evidence here, that giving a taste of drink to children would be bad?—Such a thing as I have mentioned would be only on an occasion now and then, but if it was to be every Sunday, and for a continuance, there would be the mischief. If I had half a dozen or a dozen of porter in my house, or half a pint of spirits, and three or four friends came in, as they would come in on a Sunday, if we were walking out together, and that would go on continually Sunday after Sunday, and the children tasted it every Sunday, they would get a taste for it, and they would like to taste it every day, if your friends came in every Sunday, and this thing happened, and the children got it every Sunday evening.

2884. Would you think that bad?—I would.

2885. Would you interfere?—I dare say I would.

2886. To protect your children?—I would prevent them from having it.

2887. Would the rich men do the same with their children?—They can speak for themselves.

2888. I would ask you whether you are not as competent to protect your little children as the rich man is to protect his?—I should think so.

2889. Then where is the greater danger in having drink on the Sunday in your house than in a house in Merrion-square, tell me that?—I cannot tell you of my own experience.

2890. A working man does not grudge his wife refreshment, does he?—I do not mine.

2891. There is not that dreadful objection to her having some with you?—No.

2892. Taking them on the whole (I know there are bad exceptions), are not the wives of the respectable working classes of Dublin moral, virtuous, and religious beyond estimation, on the whole?—Most undoubtedly.

2893. Would their home influence on the husband be most powerful?—I am sure it would.

2894. If the wife was at her husband's elbow every time he wanted to drink, do you think that her influence would be on the side of sobriety?—Most undoubtedly.

2895. Her influence would be pure and healthful over him?—Yes.

2896. If there was no drinking in the public-house, would not her influence in the home be to diminish drinking there?—I should say so. I think that what the working men and their wives complain of is the Saturday night's drinking.

2896. Are you in favour of Saturday night early closing?—I would be.

2898. At what o'clock do Ross and Murray pay the wages of their men?—At half-past one in one branch, and in several branches at two o'clock.

2899. Then it is not for want of early payment that the houses are kept open until 11 o'clock at night, as Captain Talbot intimated?—Not in Ross and Murray's establishment.

2900. I believe you know that the Factory Acts compel them to close at a certain time on Saturday?—Yes.

2901. What hour would you suggest would be a good hour for closing the public-houses; would you say six or seven on Saturday evening?—I really would not like to see them close so early.

Mr. Sullivan—continued.

2902. What hour would you consider a fair hour?—I think if they were to be closed at nine o'clock that would be early enough.

2903. Why would you keep them open as late as nine?—Very often at a summer's evening you may go out to take a walk, and you might like to get refreshment on the way; you meet your companion on the Saturday, and you take a walk together and have a chat, and I think I would not like to be deterred from having refreshment whilst I would be out.

2904. In your opinion, what proportion of the wages of the working classes go into the public-houses on the Saturday evening?—I could not tell you that.

2905. Have you ever tried to realise that?—I have not.

2906. Have you ever formed an opinion upon the subject?—Never.

2907. Do not you think it is a big scoop out of the week's wages?—I dare say it is a good deal out of the week's wages.

2908. On Saturday evenings there is the trade of working men merely having refreshments, and there is the Saturday evening trade, the trade of working men drinking in the public-house; does not the latter take a very large slice of the weekly earnings?—I cannot say from my own experience.

2909. Have you an opinion about it?—From what I have seen myself, I could not give an opinion; I know two or three instances where individuals have gone in and spent a great deal more than they ought to have done.

2910. I am talking of the general practice?—I cannot give you an idea about that.

2911. Is there a very strong feeling against closing public-houses on Sunday on the part of a large number of people that you know of in Dublin?—There is.

2912. Do they think it an act of coercion?—They do.

2913. And of tyranny?—They use the word "coercion" in their petition.

2914. Is it the habit of the Dublin working classes to lie by and make no protest against acts of coercion and tyranny; do not they hold meetings nearly every month on political subjects, protesting against misgovernment, and one thing and another?—Yes; when headed by some very prominent men they do, but I do not think that they would take it up if they were not headed by those men, and the question was not agitated by those men.

2915. Is Dublin deficient of public men who fight for the liberties of the people; are not there plenty of these in Dublin?—I think there are.

2916. If this was a coercion act, or a blow at the political liberties of the people of Dublin, do not you believe that in a fortnight these public men would call a meeting in the Rotunda?—I think they might.

2917. How comes it to pass that there never has been a public meeting against the Sunday Closing Bill until the one that the publicans paid for the other day?—I cannot tell you, unless, as I said before, that public men did not take the matter up.

2918. Do you mean that public men do not feel that it affects them?—I do not know whether that class would feel it in the same way; they would not be affected themselves by it; I do not know

Mr. Sullivan—continued.

know if on every occasion they would take up the cudgels for the working man. I really believe that the interests of both parties, so far as that is concerned, are entirely opposed to each other.

2919. You think it is for a selfish reason that the public men of Dublin have not on this occasion resented a coercion act against their fellow-citizens?—I do not say that, but I think that the upper class do not take that great interest.

2920. Excuse me, that is not my question: you say that the working people in Dublin are quick to resent an infringement of their liberties when threatened?—Yes, if appealed to by others.

2921. If appealed to by public men who take part in these things?—Yes.

2922. Have you any opinion why it is that neither the public men nor the masses of the people have taken any measures at public meetings against what you call this coercion act until that meeting which the publicans paid for the other night?—I cannot tell you; I cannot offer an opinion. The working classes themselves, as well as the majority of the trades of Dublin, would get up meetings, but they have no special funds for getting them up. There is a wonderful amount of trouble and expense attached to getting up such a meeting, and they could not take it out of their funds.

2923. How much would it cost to hold a public meeting in the Phoenix Park; would it cost half-a-crown?—I believe not.

2924. You are aware that there were Sunday closing meetings of the working men held in the Phoenix Park?—I am.

2925. Was it the cost that would deter the trades from resenting this coercion act in Phoenix Park?—I think that the feeling of the general body of working men of Dublin up to the present was that they did not believe that this Bill would ever become law.

2926. Did it not pass the House of Commons last year?—It did, but they did not think it would become law; when they saw it going so far the working men did move.

2927. I believe you got 24 or 26 petitions from trades societies last year against the Bill; out of how many societies were those?—Out of 22 bodies.

2928. In those cases were those not petitions to which the signatures of the officers were attached without consultation with the trades?—I do not know anything about that.

2929. Do you mean to say that there were special meetings of the trades called before any signatures were put to these petitions?—I do not say so.

2930. Have you any knowledge on that point?—Yes, in several cases.

2931. How many?—I was not at them, because I would not be allowed into another trades societies room.

2932. You do not know whether they called special meetings of the trades bodies?—I was told so by the members themselves.

2933. When?—Shortly after the petitions were sent in.

Mr. Sullivan—continued.

2934. How many told you?—I could not tell you the number; I might say the trades that are at work in my shop where I do business.

2935. Did you see a correspondence in the newspaper from the bodies of the trades, protesting against their officers having affixed their signatures without calling a meeting of the trades?—I did not see any trades society sign anything of the kind.

2936. Did you see the correspondence in the newspaper from members of the general bodies of the different trades, protesting that no meetings of the body of their trade had been called, but that the secretary and the president had affixed their signatures to the petition?—I did not.

2937. You did not read those letters?—I did not see any from the trades societies; you mentioned the trades societies; I am only taking up your own words.

2938. You will find that that is not my question?—Will you be so good as to put it again.

2939. Did you see in the public press letters from men who belonged to trades societies, complaining that the officers of their trades, by signing those petitions, had pledged the body without a meeting having been convoked for that purpose?—I did not.

2940. You did not read those letters?—I did not.

2941. Was there any correspondence in the public press on the subject?—I saw no letter except one from a body called the carpenters' association.

2942. I am not speaking of the association; I am speaking of individual members of trades bodies?—I did not.

Mr. Maurice Brooks.

2943. You were asked by the honourable Member for Louth, why, if rich people may indulge in intoxicating liquors in their own homes and their wives also, a restriction should be placed upon a working man in his home in the use of intoxicating liquor; is there not this dissimilarity between the two classes, that in the house of a rich man he has his nursery, his laundry, his kitchen, his drawing-room, his boudoir, and his dining-room, whereas in the case of the humble working man, his kitchen, his dining-room, his nursery, his hospital, and his laundry are the same room?—In the vast majority of cases.

2944. There is an extreme dissimilarity then between the two cases?—Most undoubtedly.

2945. I will ask you if the virtue of the Irish women and their sobriety is likely to be confirmed and improved, if the alcoholic liquor which is drunk in the rich man's dining-room be brought into the nursery, the living-room, and the sleeping room of our artisans?—It would not be improved according to my impression.

2946. Would it be injured?—I cannot say.

2947. Is that the reason why you object to drinking whisky in your own houses?—I would not like it to be there constantly, morning, noon, and night.

Mr.  
Drigden.  
16 March  
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Tuesday, 20th March 1877.

MEMBERS PRESENT:

Sir Michael Hicks Beach.  
Lord Charles Beresford.  
Mr. Maurice Brooks.  
Mr. Bruen.  
Dr. Cameron.  
Colonel Cole.  
Mr. Ion Hamilton.

Mr. Law.  
Mr. Charles Lewis.  
Mr. Marten.  
Mr. Molden.  
Mr. Murphy.  
Mr. Sullivan.

THE RIGHT HONOURABLE SIR MICHAEL HICKS BEACH, BART., IN THE CHAIR.

Mr. PATRICK HIGGINS, called in; and Examined.

Mr. Maurice Brooks.

Mr. Maurice Brooks—continued.

2948. YOU are an artisan from Dublin, are you not?—I am.

2949. What branch of trade are you engaged in?—I am president in the Coopers' Society, and master cooper in Sir Arthur Guinness's brewery.

2950. Of how many workmen does your society consist?—Nearly 600.

2951. Are they engaged as brewers' coopers?—Not at all. Brewers, distillers, and wine merchants from the Custom House on the North Wall up to the big fountain in St. James's-street.

2952. Are there any dry coopers amongst you?—No, we have nothing to do with them at all. The principal portion are Dublin men, but there are a great many belonging to England, Scotland, and Wales.

2953. Are you in a position to inform the Committee of the opinions of the working men concerning the proposed Bill to close public-houses on a Sunday?—I believe I am.

2954. Will you state to the Committee, for their information, such facts as you have?—If the Right honourable Chairman will allow me to commence first with the establishment that I am working in, I think it would be a guidance for the honourable gentlemen present. On the last occasion of the evidence here there was a gentleman who said in his examination that he knew more about Dublin and the working classes than any other man in it; and if the Right honourable Chairman would consider that I am right in contradicting that, I would be much obliged to him, and so would the citizens of Dublin. I have been knocking about amongst the working classes for the last 34 years, in Sir Arthur Guinness's brewery, and amongst palaters, glaziers, and all classes in the building line, millwrights, fitters, and engineers; I leave the coopers until the last, as they are the staple of the concern. I know the opinion of those men, and they are decidedly against the Bill. I am not going to state their full opinion of the whole class of those men. I am including labourers, too, in this; the sober, industrious, and temperate class I am speaking of. I have not come here to this honourable House to speak at all of the idlers and such

fellows as we call in Dublin loafers, loafing about from corner to corner, and if they get a chance of inducing a person under influence of friendship to treat them; with such poor fellows going on in that way, decidedly you might meet with something rough of course, but I am speaking of the sober, well-inclined, moral and industrious classes of the city; not one in particular.

2955. What is the opinion of these men, the sober, industrious, and well-disposed men?—The sober and industrious, temperate and moral class of men are for the hours of the houses to stand as they are, and that there should be no alteration in life, or change of the hours. In the first place, if there is a change of the hours of Sunday closing, you may take it for granted from me that it would be a most disastrous thing for the commercial pursuits of the city; that is one thing that I am quite confident of from my own experience, and how? There is a large number of men in Sir Arthur Guinness's brewery of all classes as I have stated; all the men I have heard repeatedly say, and since this thing came forward, that it has not been anticipated for one moment that this Bill would ever be passed by the Government, but that they would not allow it to be passed.

2956. You were proceeding to tell us what is the opinion of the working men with regard to restricting the hours on week days, or closing the public-houses on Sundays: will you endeavour to confine yourself to that line?—With regard to the closing of respectable houses, I am giving you the opinion of the 2,000 working men; there are 2,227 working men in Sir Arthur Guinness's brewery; I might speak of 2,227 that might be in favour of closing, but I will give verbatim the opinion of 2,000 men that are entirely against it, men that must be in decidedly punctually to their work on Monday morning; I might give an illustration of that in the regularity of a number of men in that establishment which is the very largest in Ireland; I know that the opinion of the sober, temperate, and moral working men of the city is that if the houses are closed on Sunday, the 8, or 10, or 12 that I have frequently seen go out on a Sunday for a walk through

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Mr. Maurice Brooks—continued.

through the country, cannot carry a bottle of stout in their pockets; they might carry whiskey, of course, if they got it previously; but by going into a house on the Saturday night it is a temptation to any moral or well-inclined man to have drink in his house, as they have to board it up, for they have not an apartment or a collar to lock it in; if they want to take a glass of grog they must go and take it before the public, before the family; I am now alluding to the labouring classes.

2957. We have had abundance of evidence upon that point; but could you say whether there has been any expression of feeling on the part of large bodies of working men of the trades' societies as against this Sunday Closing Bill?—They have by all means; in fact, if it could have been possible, if they were all got together, in a very short time they would have subscribed a sufficient amount of money to counteract the Bill that has been brought into this Honourable House, but they have not become they had only three days' notice of it; there were 16 trades went together, and I attended a meeting of delegates from 16 trades. I found that they were unanimous, and they desired me to come here.

2958. Were they delegated from 16 distinct societies?—Yes, 16 distinct societies.

2959. Were they the office bearers of those societies?—Yes, decidedly.

2960. Were they the secretaries or the chairmen?—No, ordinary members; some were secretaries, and others were presidents.

2961. Were they sent forward by the societies?—Yes, sent forward by the body.

2962. You say that this meeting was unanimous upon the subject?—There was not a dissentient voice amongst the whole lot then. I attended on three or four occasions.

2963. Do you know of any body of working men who are in favour of Sunday closing?—Not one in the city.

2964. How many societies or bodies are there in Dublin?—Of corporate bodies of mechanics, there are about 48 or 44; but there are trifling trades enumerated up to 50 odd; there are 42 recognised mechanics' societies in Dublin.

2965. Are you aware of any expression of feeling on the part of those societies, as such, in favour of Sunday closing?—I never heard of any.

2966. Can you inform the Committee if in their opinions they are opposed to this measure?—Decidedly. I am speaking, as I stated in the early part of my answer to your questions, that it is not the Intemperance or the drunkards that I am advocating, but all the sober men of Dublin, and all classes of artisans, mechanics, and labourers are against this Sunday Closing Bill. I just want to make one remark without any honourable Member asking me any question. I want to impress it particularly on the honourable Members of this House to see and put down those beerhouses and beerhouses, for if it should happen that this Bill got into force by the honourable Members of this House, decidedly all the respectable houses will go and carry on the same, or illicit houses may everywhere and will be established. If this Bill passes every lodging-house or beerhouse in Dublin will have 8 or 10 lodgers in it, if they do not live in the beerhouse belonging to the lower class; there is a certain class of people who go to those places at 6.50.

Mr. Maurice Brooks—continued.

present, and they will have plenty of beer in such a house; which, as you know more than anyone, is the curse of the homes of the lower wage class; that is poor humble people that have not high wages to live in respectable lodgings; decidedly, they are occupied by five or six tenants, and they will certainly bring the drink upstairs to their friends by night, and perhaps parties that have not any connection with the house at all will call and will walk in and visit their friends and have a portion of the drink that they purchase. All the beerhouses in Dublin are lodging-houses, and I consider that every lodging-house in the city, in the poor localities, if this Bill passes, will then be a beerhouse, for they will club together and bring their drink into the house, and they will have it there at all hours, night and morning. There would be neither church nor chapel nor anything attended to if such a thing passed.

2967. Do you still maintain your position as president of your trade body or society?—Yes.

2968. Have you attended a meeting lately of artisans or artificers?—I attended a meeting at the Rotunda, and acted as chairman.

2969. Are you able to say whether your conduct on that occasion had the approval or disapproval of your fellow workmen?—By all means their approval.

Mr. Sullivan.

2970. You say that you speak for all the sober men of all classes in Dublin in giving this opinion?—I do; that is the general opinion.

2971. And you think that you are a good representative of them?—I believe I am of the class I spoke of, the industrious class.

2972. Do you think it is to the brewery that sober men would go for their representatives?—I believe not; they would not go to a brewery, decidedly.

2973. You come from a brewery, do you not?—Not from the brewery; counteract that, if you please. I come from the trades' societies.

2974. I thought you said you were employed in a brewery?—Yes, so I am, and I am proud of it too.

2975. You come from a brewery to tell us what the brewery men think about this Bill?—But what I say and mean to allude to concerning the brewery is that all classes of tradesmen and labourers work there from time to time. I gave you a full account of the persons working in the brewery. There is one batch of men, perhaps, for one kind of building this week, and they have to do another next week, and there is a fresh staff of men coming in. I have a prominent position in the brewery and I have recourse to all of this class of men, and I know their feelings and their minds through that means.

2976. You have nothing to do with the dry cooper?—No, they have nothing to do with the city at all.

2977. Do you think that the working classes ought to have facilities for getting refreshment?—I consider that they have not the facilities, providing the Bill passes.

2978. Do you think that they ought to have plenty of facilities for getting refreshment?—I would very much like to know how they would get it, and they would like to know how they will get it.

2979. Do you think that they ought to have plenty

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plenty of opportunity of getting refreshment if they wanted it?—They ought to have it, but they do not get it.

2980. Do you think that they have not enough of opportunities?—They have not.

2981. Would you give them more houses for refreshment if they wanted them?—I would give them more house-room.

2982. Do you think they ought to have more places where they could get refreshment if they wanted it?—I think that they ought to have less houses for refreshment.

2983. Would you not give them as many chances of getting refreshments as they would want?—I would, in a proper form. I would not give them beer-houses for refreshments, or illicit houses for refreshments.

2984. Is not beer a refreshment?—It is, when it is properly treated and used.

2985. How should it be treated to be a good thing?—Mind it when it is in order, and not let it get flat, and when it is out of order, discharge it.

2986. You said that the coopers were the staple trade?—They are the staple men of every concern in the way of distilleries, wine merchants, and brewers in Ireland or England either. I had the honour of being in Barclay & Perkins's the other morning, and we were just the same there as we were at home in Sir Arthur Guinness's brewery.

2987. You told us that you are speaking for all classes in Dublin, and that they want no alteration in life, or change of hours?—Yes.

2988. They would not have a minute more or a minute less?—Never a minute less.

2989. It is just beautiful as it is?—It is beautiful if it is carried out properly. Might I make an allusion to the last word Mr. Sullivan has alluded to. I wish to let Mr. Sullivan, and every honourable gentleman of the House, to understand this, that it is not the intemperate class of mechanics that I represent in this honourable House; it is the sober, temperate, and moderate classes that are represented by me; it is not what is generally termed the corner boys.

Mr. Marten.

2990. Are you aware of any case in which beer-houses have been made use of as lodging-houses, for the purpose of increasing the facilities of getting beer in illicitly?—I say that is the whole curse of the city.

2991. Are beer-houses made use of for the purpose of lodgings at the present time in order that the people may have greater facilities of getting beer?—It was the habit, but I believe that in October next the beer-house law is going to be abolished, and I hope it will. But it was the system with the people in the lower parts of the city, if they had only a dozen of turf, to bring it into the shop or cellar, it did not matter which, and a few pipes, and some bottles with Guinness's label on them; and they would pick up an old label of Guinness's or Mander's, and would stick

Mr. Marten—continued.

them in the window. That was a sufficient guarantee for the person that wanted that apartment to go and get out a license to sell beer from six o'clock in the morning until six o'clock the following morning, night and day. It is the beer license that is the cause of these gentlemen advocating so strongly against the respectable people, and the industrious labourers of Dublin.

2992. How long have you been president of the Coopers' Society?—I am president about seven years, but I have been on council meetings, committees, and one thing or another connected with them. I am the guiding star of them, I believe.

2993. Were you appointed at any special meeting of the Coopers' Society to attend the meeting at the Rotunda?—Yes.

2994. Had you any communication with the remainder of the 42 societies who were not represented at the Rotunda?—I think the honourable Chairman understands all I have stated, that there were 18 delegates from *bona fide* societies; and it is a rule with *bona fide* societies, if they send a delegate, to take a *bona fide* desire and request.

2995. Have you any means of informing the Committee what was the opinion of the other societies who did not send their delegates?—I could not say. I think I have stated that there was not sufficient time or opportunity for the people to have been all canvassed. I gave you a classification of them, but it is no more occupying your time by mentioning them again. The class of people that require this to be rejected decidedly, I must say, could not attend; for the president or the secretary of any club in the city, particularly in the building line (there are a great many classes of artisans in the building line), might be off in Cork or Galway, and the other members have not authority in the city to act. Those presidents or secretaries, if they are away on their employers' business, of course cannot come to the city and call a meeting in such an emergency. Another thing, there was no fund to do it with, unless the men volunteered to pay it out of their own purse, which some few in London did do, for the purpose of getting opposition to it.

2996. You say that, out of 2,297 men employed at Guinness's, you think about 2,000 would be against any alteration in the law, and about 227 might be in favour of it; do you think that proportion would hold throughout the working classes in Dublin, as far as you are acquainted with their feelings?—I am nearly certain, if the Chairman put me to the test on oath, that I could swear it, from my constant acquaintance and thorough going through them in every manner.

2997. Do you think that that proportion would hold throughout the working classes of Dublin?—Yes, the proportion against closing would be about 2,000. I am not including in those the firms or the head gentlemen of the different departments; but in that number I decidedly include the junior clerks with minor salaries.

Mr. THOMAS WALLACE RUSSELL, further Examined.

Chairman.

2998. I THINK there is something which you wish to add to your former evidence?—Yes, I was asked by the honourable Member for Limerick

Chairman—continued.

to furnish a list of the names of those who carried out the house-to-house canvass at Limerick, and I beg to hand in the following Statement:

Mr. Russell.

Chairman—continued.

most: "Limerick Canvasers. Superintendent, Mr. Scott Anderson, George-street, Cork; Daniel O'Herlihy, 7, George-street, Cork; John W. O'Neill, 11, Marlboro'-street, Cork; Richard L. O'Neill, 11, Marlboro'-street, Cork; Wm. Duggan, 130, Brandon-road, Cork; Thos. Walsh, Desamick-road, Cork; Mich. J. Quin, Limerick. The latter only partially employed. Declaration signed before Maurice Lenahan, Esq., J.P." At the conclusion of my examination by the honourable Member for Cork on the last day, he asked me, regarding the electoral memorials that were promoted in certain constituencies, signed by electors only, and addressed to the Members: I stated that these memorials were all obtained through the post, and that the signatures obtained were pasted on the sheets; I have heard from Dublin since, and I find that two or three of those memorials were obtained by personal canvass by the agents of the Association, and not by post; the honourable Member for Cork seemed to think that he had seen a memorial of that kind with just simply the names written on the sheet and not pasted on it; I was rather positive that he had not, but I find, by information from Dublin since, that he is right, and that in a few cases the memorials originated in that way.

2999. You put this in as a return of the canvassers in Limerick; I see that the superintendent is a gentleman, Mr. Scott Anderson of Cork; then there is Mr. Daniel O'Herlihy, also of Cork, Mr. O'Neill of Cork, Mr. Richard O'Neill of Cork, Mr. Duggan of Cork, Mr. Walsh of Cork, and only one gentleman, Mr. Quin, of Limerick, who was only partially employed?—Yes; in a provincial town like Limerick it is extremely difficult to get suitable men for a work like this, and Cork having been canvassed we draughted the Cork canvassers, who had somewhat learned the work, into Limerick, and did Limerick with the same men as did Cork; the same happened as regards Waterford, they were taken from Limerick to Waterford.

3000. Did those gentlemen conduct the canvass in other cities besides Limerick and Waterford?—Cork, Limerick, and Waterford, but not Belfast; there was no difficulty there in getting suitable men, but in Limerick you might advertise for a month and you would not get the class of men that are required for the work in either Limerick or Waterford.

3001. Then Limerick and Waterford were canvassed by persons who were not acquainted with either of those cities?—Quite so; they had the Ordnance survey maps greatly enlarged, and they had a distinct block given to them every morning by the superintendent.

3002. Was Dublin canvassed by Dublin men?—Yes, entirely.

3003. And Belfast by Belfast men?—Entirely.

3004. And Derry by Derry men?—As regards Derry, I think one man was brought from Belfast who had been engaged upon the Belfast canvass.

Mr. Maurice Brooks.

3005. I would like to ask if the voting papers which were circulated in Cork and Limerick

Mr. Maurice Brooks—continued.

contained these statements, which are upon the back of this paper which I hold in my hand?—Exactly the same statement, and it is as follows:—"Facts connected with Sunday Closing.—1st. Since the year 1853, the sale of intoxicating liquors in Scotland has been illegal. In 1871, with public-houses closed, three millions and a half of people in Scotland drank less than two millions and a half did in 1851, with public-houses open on Sundays. The arrests for drunkenness in Edinburgh, Glasgow, and other large towns, on Sundays, have gone down 30 per cent., since the public-houses were closed, and the Act has the entire sympathy and approval of the Scottish people. 2nd. Through the influence of the late Archbishop Lecky, the most Rev. Dr. Farlow, and the most Rev. Dr. Conry, the public-houses have been closed on Sundays for many years in large districts of Ireland, with the most satisfactory results. Throughout the Diocese of Ossory and Galway a similar rule has recently been adopted, to the entire satisfaction of the people. 3rd. On the 8th of May 1874, the House of Commons divided on the Sunday Closing Question, with the following result:—

For Sunday Closing.				Against Sunday Closing.			
Irish	-	-	48	Irish	-	-	30
Scottish	-	-	37	Scottish	-	-	4
English	-	-	80	English	-	-	307
125				341			

The motion was thus lost by an overwhelming majority of English Members. On the 5th May 1875, the Bill was again before Parliament, and was talked 'out' by an English Member, Mr. Wheelhouse. The object of the present canvass is to elicit decisively the opinion of the householders on the question."

Mr. Brass.

3006. You said just now that, as regards Limerick, you might advertise for a month without getting persons properly qualified to conduct the canvass in which your society was engaged; do you mean to say that there is no person in Limerick properly qualified to conduct a canvass of this sort?—Persons of that class are not generally disengaged in Limerick. There are persons that might do it, but the class that would be idle and looking for employment are not the class that we would employ in such a matter as this. As a matter of fact, we did advertise in the papers, but we failed to get proper men, and then we drafted the men from Cork.

3007. You say that persons of that class are not disengaged in Limerick; is it the case that they are disengaged in Cork more than in Limerick?—There is a much larger population in Cork, and as a matter of fact, we got men in Cork, whereas we could not get them in Limerick by advertising.

3008. Do you think it might be possible that, though persons of that class do exist there in sufficient numbers, they are all opposed to your view of the case?—No, that is not so.

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Mr. JOSEPH BRISCOE, was called in; and Examined.

Mr. BRISCOE.

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Mr. SULLIVAN.

3009. You have credentials, I think, which you forwarded to me?—Yes, and I have others here, which you did not see (*delivering in the same*).

3010. The credentials that you forwarded to me were on behalf of what trade society?—The Journeymen Butchers.

3011. That is a regular trade society, is it?—Yes.

3012. And also, I think, you have signed credentials from the working men's club?—Yes, from the working men's club I am sent in connection with another witness.

3013. It is in the capacity of a delegate authenticated from those bodies that you are now summoned?—Yes, I may just mention that I could have been deputed by all the men in the factory of which I am foreman, only I did not wish to have it said that I used any influence to get myself appointed.

3014. You are foreman in Messrs. Hutton's, I believe?—Messrs. Hutton and Sons, Summer Hill and Dawson-street.

3015. Being the foreman, you would not put it before them?—No.

3016. Although you do not appear on behalf of your factory at all, and you are independent of it, I will read to you now a telegram which has been handed in. "John Gow and Robert Higgins, coachbuilders, Dublin. We, on behalf of 55 of our Body, in the employment of Messrs. Hutton, coachbuilders, protest against Mr. Briscoe giving evidence on our behalf in favour of Irish Sunday Closing Bill, as we are opposed to the Bill, and ready to give evidence against it if permitted;" do you know John Gow?—Yes, I know him; he is John Gough; he is a pemicer, and only there about three weeks; he is not a coachbuilder; unless there is some proof of it, I would not believe it, for I think he would be the last in the world to do it. He is a very decent hardworking man, but I am sorry that I cannot say the same for Higgins, for he is a man who was once very well off, and has destroyed himself through drink.

3017. Have you ever had to complain of him in the factory on that ground?—That is a thing I do not like to do; I would rather settle those things with the men himself. But I may mention that in the year 1870 the men voluntarily signed a protest against the publicans of Dublin, who said that the working men did not wish to have the public-houses closed, as the public-houses were the workmen's clubs. The men were so indignant at it that they all signed, I remember, to the number of 64 throughout the factory. I do not believe that telegram, because I can give you the names of most respectable men working in the employment, and the words which they used were, "We wish to Heaven that they were shut."

3018. How many men altogether are there in the factory?—There are about 113 men, boys and all; that is just the number; I pay them myself, and keep their time.

3019. How long have you been in Dublin?—Since 1850; 27 years.

3020. Have you mixed a good deal amongst the operative working classes in Dublin during that time?—I did while I was serving my time,

Mr. SULLIVAN—continued.

and while I was working myself at piecework as a body maker; I am a practical coach maker. In 1862 I was appointed foreman.

3021. Are you a teetotaler yourself?—No, I am not.

3022. You use the public-house, do you?—Yes, I was in a public-house myself on Sunday week.

3023. As a man who is not a teetotaler, and who uses public-houses himself, can you give the Committee the opinion of men like yourself in Dublin amongst the operative working classes as to Sunday closing?—My impression of it is formed from experience, conversing with the men, and conversing even with drunkards after they would be sober. A good many men would wish to see the public-houses shut, and even to inconvenience themselves a little, for the sake of refraining and doing good to the drunkards; the drunken men, when they become sober, would be glad if they were shut; they would not leave themselves without a farthing in the way that they would be at that moment. I have known several men that are dead now who killed themselves with drinking. It would be an inconvenience, I have no doubt, to me or, excuse my saying, to any other respectable man, to have the public-houses shut on Sunday, in this slight degree, that if I am taking a walk, we will say, to Dollymount, and I could not go in and get a bottle of hitter ale; but it is an inconvenience that I would be glad to put up with, and I think that I am called upon to make that sacrifice for the good of society.

3024. Do you think amongst the trades generally of Dublin that skilled artisans and men like yourself who use public-houses, it is the general feeling that they would willingly put up with some inconvenience for the sake of stopping the waste of wages that goes on amongst others of their body?—Yes, they would willingly do it, because there would not be any inconvenience so far as the people's homes would be concerned because there is nothing to prevent a man on Saturday from laying in drink for his dinner, and if he wants more than that, that is where the Bill would do good to prevent him getting it. A moderate man would not find any inconvenience in having his porter at his Sunday dinner. But an immoderate man I look upon as a sort of lunatic in the first stage, and would restrain such a working man from himself, and even he himself would be glad the next morning, because he would be able to go in to his work. I am the time-keeper in the factory, and yesterday morning at the forge where there would be about 30 men if they were all there, there would not be a dozen of them in; Monday morning is the worst in the week for the men, if they do go in to work, and for their employers too.

3025. Do the working men of Dublin go largely on excursions on Sundays?—I think not; they may go out to the park and they may go to the Botanic Gardens, and a great many do go to the Botanic Gardens, but as to real excursions on Sunday to the country, I think that working men cannot afford it; I do not go very often myself although I have a very good salary.

3026. As to the working men's petitions upon this



Mr. Sullivan—continued.

this subject, do you know anything in connection with them? have they got up petitions at all in favour of Sunday closing?—By accident it has come under my own notice. I was going down Sackville-street the week before last, and I met a friend of mine who does business in the Custom House. He and I went into a shop not far from Sackville-street; the shop was open; the publican and his wife were smiling at every one coming in, and every one that came in was asked by a poor seedy-looking man to sign a petition; I also was asked; I said, "What is the petition?" and I was told that it was a petition to keep the public-houses open on Sundays.

3027. Was that against Sunday closing?—Yes; and I said, "Not likely, I am not going to do that;" I dined during the quarter of an hour that I stood at the counter with my friend (which remember was one of the legitimate houses, a most respectable house), there were 100 people passed in, and 100 people passed out. The vast majority refused to sign; nearly every one refused to sign going in, but very often a man would sign when he came out, but the influence of the landlady weakened the resolution that they had when going in; that was the idea that I formed; another thing which struck me as very unfair—I thought it was very unfair that the publicans should be patronising the people going in, and trying to induce them to sign it. And more than that, I must say of the men that I saw coming in and going out it would not be fair to say that they were working men of Dublin; they were many of them foreign sailors coming up from the quays and from coal brigs, and some of them under the influence of drink. I saw a great many of this kind of men sign the petition on an empty tea chest, and the man that I spoke of used to write the names down for some of them; that is all I know about the way in which the petition was got up, and I thought it very unfair.

3028. You have been present at many meetings in favour of Sunday closing, have you not?—I was always in favour of it, and I have been at some of the public meetings.

3029. Were they fairly conducted, open and free public meetings?—Yes.

3030. Were you at the meeting in the park?—Yes, I was at the first meeting; I think you took the chair there such as it was.

3031. Was it a large meeting?—I should say that there were about 5,000 people. It was a very closely packed meeting around the Mound.

3032. That was a temperance meeting, not a Sunday closing meeting, I think?—I thought it was a Sunday closing meeting as well.

3033. Were you at the meeting which was held near the Zoological Gardens in the park?—I was at two meetings there.

3034. Were they fair, open and free meetings, open to the working classes?—There was nothing to prevent anyone that wished to speak against it speaking against it; everyone present seemed to be in favour of Sunday closing, except that there were a few little boys running about, sunning each other by throwing hammers and things amongst the crowd, but nothing in opposition to the meeting in any way.

3035. Have you been at any Sunday closing meeting at which amendments were moved in the Mechanics' Institute, and elsewhere?—Yes, I was at two meetings in the Mechanics' Institute.

0.29.

Mr. Sullivan—continued.

Mr. Browne.

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I was at one, I think, about five years ago, when you took the chair, and I remember I spoke at it myself, and the secretary of the Trades Association, Mr. Keegan, proposed an amendment; and there was an old gentleman, I think he is dead since, who was the representative of another trade society, a Mr. Clare, and he seconded the amendment.

3036. Was there a free and fair discussion?—I remember that you said, "Let them stand up," and you said that you would leave the chair if they were not heard. Certainly I should say that the voice of the meeting was against them, but still they got a fair hearing.

3037. The speakers, either on the one side or the other, spoke up to 11 o'clock, did they not?—Yes.

3038. Have you ever known of any man at a Sunday closing meeting coming forward to the Chairman with an amendment, being pitched off the platform?—No, never. I was at a meeting lately in the Mechanics' Institute, about a year ago, and there was a John Murphy there came up. I was glad to see him, because he was rather an intelligent labouring man, and he did make a hard fight, but then it was a very queer argument; there was no sense in it; still he seemed to be a man that appeared to believe what he was saying, and he was heard; there was great laughter; I remember you were at that meeting, and called for protection that he should be heard. There was a part of the meeting that thought it nonsense to listen to him.

3039. But he got a fair hearing?—Indeed, he did. The man remained on the platform after, and he was protected.

3040. I believe that the poor man was not so well dressed as you would like?—No; I think some one said, "Push him down," but you protected him.

3041. Supposing that the Sunday Closing Bill were the law, what is your opinion as to illicit traffic; would the gain to sobriety be greater than the loss in the matter of illicit traffic if there were Sunday closing; we will take it for granted that there would be some illicit traffic following from the shutting of the public-houses; however, would the bulk of the intelligent working classes follow the illicit traffic, or would they give up the public-houses on Sunday?—People should certainly give up going to public-houses if they were shut, that is clear; and so for the beer-houses, I do not think that what you would call a decent working man would go into them. It would be a man that was steeped in love for drink that would go into a beer-shop. If I was on my oath, I could not tell you where a beer-shop is.

3042. And yet you, like other intelligent men, use public-houses?—Yes, I just go into the public-houses because you cannot avoid them so long as they are there; if you meet a man you would be considered a churl if you did not go in along with him. There are many men who ask you to stand a drink. I know a man who has been worth thousands, and he is that sort of imbecile about drink, that if he meets you in the street he will ask you to give it him; he is a most respectable man in all his relations, and in everything else but for that one failing. For instance, I met a man on Sunday, and I brought him to a public-house and asked him what he would take, and he said, "A glass of whisky," and he had a glass of whisky; but if every public-

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Mr. Brice.

Mr. Sullivan—continued.

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public-houses were shut up on Sunday that man could be reformed. Of course we cannot expect them to be shut every day; we must have free trade.

3043. You are a foreman in a large factory yourself, and you know a good deal both about employers and workmen in Dublin; what would be the effect upon a working-man's wages, and on the comfort of his home, if there were Sunday closing in Dublin?—In the first place, I believe that if the public-houses were closed on Sunday a man would have a better home to live in, or be would be able to pay for a better lodging. And more than that, he would have the inclination to clean his place and decorate it a little. For instance, many a man now would go and spend a shilling in drink, and would grudge 2d. or 3d. for lime to whitewash his place. I am speaking of drunkards, because when a man is sober, and has a sober wife, you will see a difference in their home; they are not living in the same low places as people with the same wages, but with other propensities, are living in.

3044. When we point to the wretchedness of the Dublin tenement houses in which the labouring classes live, is it not the fact that the people living in such wretched homes is owing to the fact that they spend in the public-house the money that would pay the rent of more cheerful homes?—It is the fact that is impressed upon my mind.

3045. Is it a common occurrence amongst the employers in Dublin that St. Monday, as it is called, affects the employers, and that the men do not come in on Monday to a large extent?—In our own business it is not so much so, because the majority of the men are really decent men, unless, like that poor man Higgins, whose name is on the telegram. In coach-making there are a body of men, the carriage-makers, and smiths of all sorts; but taking the general trades of the city, I think they do not go on St. Monday, as you call it. There are a couple of trades that go off to Sandy Mount, and places like that, on the Monday, but then, I think that is confined to only one or two trades; very hard-working men, too, they are, and they earn their money very hardily, and it is a pity that they spend it in that way.

Chairman.

3046. Your trade represents rather the better class of artisans, does it not?—It is not alone in that. I would not say that they do. I would say that the carpenters are a most respectable body of men, and the cabinet-makers and the journeymen tailors are a very decent lot of men; the brass-founders, also, are very respectable men, and so on. I could not enumerate the whole of them, but I would say that it is not more respectable than many others; you will find very decent men in every trade.

3047. Did you state to the honourable Member that you represent the journeymen butchers here?—Yes; I was not aware of it until I had left home, and they sent my credentials after me (producing same).

3048. Will you be so good as to read it?—"Journymen Butchers' Society.—At a meeting of this society held on the 13th March 1877, Mr. Joseph J. Brice, 19, Summer Hill, Dublin, was duly authorised to represent them as a witness before the Select Committee now sitting to con-

sider the 'Sale of Liquors on Sunday (Ireland) Bill.'—Chairman, John Kavanagh.—Secretary, Christopher Reilly."

3049. Are you aware how many members there are in that society?—There are about 200 men.

3050. How was it that they selected you to represent them here instead of one of their own trade?—I have not the slightest idea, beyond that they knew that I was coming; I know a great many of them, but I have not the slightest thing to do with them, nor do I know what was their reason for selecting me; I suppose from knowing my feelings, or thinking that my evidence would harmonize with their feelings; I can form no other reason.

3051. Had you any previous connection with them in any way?—Not any direct connection in any way; they all know me; I am in some way connected with the butchering trade through my wife, but not in any way directly; I never had anything to do with it myself.

3052. It is through their personal knowledge of you?—Yes.

3053. You also represent the workmen's club, do you not?—Yes.

3054. Will you read their authorisation?—"Workmen's Club, 41, York-street, Dublin.—At a special meeting of the members of the above club held on the 14th March 1877, the following resolution was passed unanimously. Proposed by Mr. Daniel Doyle, tailor; seconded by Mr. James Malone, butcher, and resolved, 'That Mr. Edward Murray, 48, Lower Clanbrassil-street, carpet fitter, and Mr. Joseph J. Brice, 19, Summer Hill, coach-builder, be delegated to represent the workmen's club before the Select Committee now taking evidence on the question of closing public-houses in Ireland on Sunday.'—Certified, this 15th March 1877, Peter Dewey, chairman; John O'Reilly, secretary, *pro tem*."

3055. Were you present at that meeting?—No.

3056. Are you a member of the workmen's club?—Yes.

3057. Do you hold office in it?—No; it is too far away from my place; I do not go over very often to it at all.

3058. Will you tell us what kind of society this workmen's club is; how many members had it?—There are about 180 or so that attend regularly; there are about 300 names on the books; some do not go often just like myself; it is a place for working men to go to for recreation, reading the newspapers, playing draughts, and innocent games of that sort; no card playing or playing for money is allowed; and sometimes members give lectures for each other's benefit.

3059. What class of workmen principally belong to the club?—There are every sort in it; there are from the highest mechanic down to chimney-sweepers; it is open to any well-behaved decent man to be in it; that is what it is intended for; it is intended for the kind of people that might go into the public-houses; you are not bound to be a teetotaler, if you are a temperate man, and keep from drink.

3060. Are a good many of the members of it teetotalers?—Yes, a great many; in fact, it is open to anyone, and any member can bring a friend in.

3061. Are a large majority of the members teetotalers?—Yes; it is open to anyone to go into the meetings that are there on Sunday night, and

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*Chairman—continued.*

to the lectures on different subjects, to anyone passing to go in; by paying a penny they can go in.

3062. I suppose no beer or spirits are allowed to be consumed there?—No; even when they have little balls and raffles there, they do not allow anything of that kind; they sell tea and coffee and things of that sort.

*Mr. Law.*

3063. Do you know the Strawberry Beds?—Yes.

3064. Do many work-people go out there on Sunday in the summer season?—Yes; I think it commences on the last Sunday of June, and continues on for about five or six weeks; it is a garden place; what I would call the lower order of working people go there; for even amongst the working classes there is a lower order.

3065. Are there public-houses there?—Yes, a whole row of them; the public-houses are all facing the river, and when the strawberry beds are going on the public-houses are supplemented by what are called tents, made of canvas and poles running out into the gardens, so that, in fact, every public-house becomes multiplied.

3066. Then the premises are enlarged?—Yes, the premises are enlarged by those tents for dancing, and the extra drinking.

3067. Are they regular public-houses or beer-houses?—I think they have what they call the regular legitimate license.

3068. It is not the better class of mechanics or artisans, is it, that go out there, but the lower grade of mechanic or artisan?—Some respectable people go just to see the Strawberry Beds, because it is a very nice place and beautiful scenery too; but there are a great lot of people of the lower order, not tradespeople at all, in fact the very lowest class in Dublin, go to the Strawberry Beds. In fact, it is as bad as old Donnybrook fair was.

3069. Is there anything wanting in the respectability, on Sunday especially, is it a reputable place of resort on Sunday?—I think it is a place that would be inclined to lower the morals of the people very much. Where there is a great deal of drinking and dancing going on, and females and others brought together, it must lead to immorality and of course to drunkenness.

3070. Is it a place where the respectable artisans would like to take their wives or daughters to on Sunday?—I think not. A great many respectable people go there on the weak evenings just to get strawberries, but I do not think any decent people go there on Sunday. What you would call decent young men, rollicking fellows, would go there. When I was a single man myself I went there.

3071. It is not a place for decent working men's families to go to?—Indeed I do not believe any decent man would bring his family there on Sunday. But the worst effect of all, I think, is the coming home from them in the evening; the road along by the Phoenix is covered with streams of cars and people drunk, shouting and singing. Really it gives great scandal to well-intentioned people that have enjoyed a walk to see this ill conduct.

3072. Were you present at a meeting at the Rotunda some 10 days or a fortnight ago, which was called against the Sunday closing movement?—Yes, I was at it. I was at it before the 25th.

*Mr. Law—continued.*

chair was taken; I thought it would be carried on somewhat peaceably, but when I saw it becoming a furious place I left it. I waited till some speeches were made, and till a person who wanted to move an amendment was thrown off the platform, in fact I may say kicked off, and I thought it was time for every decent man to go, and I left. I would not have called that a working men's meeting.

3073. What class of people were they there?—Although the placards were all up on the Sunday, "Working men attend and protest against the Sunday Closing Bill," I would not say it was a working men's meeting at all.

3074. What class of people were they?—I would say it was composed of working men interested in the liquor traffic, we will say men employed in breweries and places of that sort, and publicans; I saw a great number of publicans of note there, some of what I may call the notorious publicans of the city were there, and there were a great lot, I think, of labourers employed about the breweries, but I saw one poor fellow and about 20 round him, beating him because he appeared to express some slight dissent from something which one of the speakers said.

3075. Were any of the working people from your factory there, as far as you know?—I did not see any of them there; as I was coming out I met one man, a carriage maker in the establishment, James Murray; he went in and remained till it was over, and he told me the next day that it was well for me that I went away.

3076. Was he in favour of or against the Sunday Closing Bill?—He is in favour of the Sunday Closing Bill, so at least he told me.

3077. He was not one of those who were protesting against it?—No, he is in favour of the Sunday Closing Bill; in fact, every decent man in the factory is in favour of it; I am surprised at Higgins, because he is not a coach-maker; he is what they call a plater, he is not a coach-maker; and I would like it to appear in case it might have any weight hereafter the sort of man that Higgins is. He will come to me on Friday night and ask me to give him 1s. out of his canvas. He cannot afford to wait for it till Saturday morning, and he wants it simply to go off and drink it.

3078. At what hour are the workmen paid on Saturdays?—At half-past eight in the morning, and the men go to breakfast afterwards.

3079. What is the usual hour for paying wages in Dublin on Saturday?—I think in the building trade they are generally paid when the men are leaving off on Saturday, but I cannot say with certainty.

3080. Among the trades in Dublin, do they work the whole Saturday or do they break off at 2 o'clock?—We break off at 3 o'clock in our factory.

3081. Is that the usual thing in different trades?—No; in the case of the railways they leave off at 12 or 1 o'clock.

3082. Are the men generally paid when they leave off?—I think they are paid on Friday. Friday payments are now adopted in a great many factories, but some of them adhere to the old plan of paying late in the evening on Saturday, which I think is a very bad plan.

3083. Where they do pay on Saturday, I presume they pay just before the workmen leave off?—I cannot say with certainty about it; I know that we pay at half-past eight.

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*Mr. Briggs.*

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Mr. *Briscoe*.20 March  
1877.Mr. *Marten*.

3084. Are you able to speak as to what the feeling of the lower class of workmen and common labourers in Dublin would be as to closing the public-houses on Sunday?—The feeling of what I would call the very lowest of them would be this, that on the Saturday morning, when they would have money, they would like the public-houses to be open for ever, but on the Monday morning, when they have not got a farthing, they would like them to be shut; it is according to the way the thermometer of money is.

3085. What is the ordinary Sunday dinner hour of the well-conducted better-class workman?—I think between two and three, and when they get to be a little better off they may go up to four or five.

3086. What is their beverage then; is it beer?—I know I can speak for myself. I generally take a glass of "XX" on Sunday with my dinner, and in fact every day.

3087. What is the general practice; is it brought in from the public-house, or is it kept in a cask?—A very few keep it in a cask of what I call working-men, because they have nothing to do but send across the street. In about five minutes I could fill my house with porter, if I wanted it.

3088. Supposing, instead of the public-houses being opened at two, they were closed all the day, would there be any inconvenience to the working-men who now ordinarily have their beer at dinner?—No, I do not think there would. They might lose, we will say, a penny in the difference between bottled porter and draught; but that would be made up for in the long run, and they might save a shilling by it instead of losing a penny.

3089. Do you think they could keep draught porter from Saturday to drink on Sunday?—I know that they do keep it in a bottle sometimes, for I have seen porter kept in a small jar; say a quart of "XX" put in on Saturday, and it would be very good on Sunday if put in a tightly-corked jar.

3090. That is not the practice?—I know it is done in my own place sometimes, but I do not know about the practice of others.

3091. Do you think that the working-men of the better class would take to bottled beer on Sunday instead of draught beer?—They would. That is my belief.

3092. With regard to the drunken men whom you speak of, do you think that they would make use, to any considerable extent, of illicit houses or beerhouses?—I do not think they would. I do not think they ought to be allowed to do so.

3093. What do you think, as a matter of fact, would be done by drunken men?—I think that the drunkards would be inclined to go into them, but that is the job, to keep them out of it. I do not see why it should be difficult to prevent these beerhouses any more than the others from selling at prohibited hours.

3094. In what way would you prevent men of drunken habits from going to illicit houses on Sunday?—I would close those beerhouses, every one; at least they ought to be known to the police.

3095. Would you suggest that more stringent measures should be taken by the police, and that they should have greater power to close them on Sunday?—I think if the police were a little more active they could prevent a great deal of this illicit drinking.

Mr. *Maurice Brooke*.

3096. Would there be any objection to give us the names of those publicans whom you saw at the Rotunda meeting?—I will give them to you, of course, if it is asked me, but I will take it as a particular favour if you would not ask me, for there are some of them that I am personally acquainted with; they spoke to me and said, "Fine evening, Mr. Briscoe," and I said, "Fine evening, Mr. So-and-so;" and I do not think it is right to tell the names in such a case; but if they say I did not see them there, then I will give their names.

3097. You do go to the Botanic Gardens, I am glad to hear, on Sunday?—I say that the better class of workmen do.

3098. I thought I understood you to say that you went there?—I do go, but not so often as others do, because I have other ways of enjoying myself; I can afford to take a car, and take my children and drive up the Green Lanes, or some other place; but I do go to the Botanic Gardens now and then, although not so often as the people living near them.

3099. You live on the north side of the city; that is nearest to the Botanic Gardens in point of situation?—I do, and my wife and children go there very often without me at all.

3100. Very great advantages have accrued to the working men and the whole of the people in Dublin by the opening of the Botanic Gardens and the People's Park; have they not?—Yes, that is so.

3101. In the public-house on Sunday week, when you were asked to sign the petition, I understand you to say there was no pressure exercised by the owner of the public-house upon you or upon any other visitors?—I beg your pardon, that was not Sunday week; I think it was on the 7th of March; it was not on a Sunday; it was in the evening, about half-past 8 o'clock.

3102. I think you said you were in a public-house on Sunday week?—Yes, I went in, and used it just the same as public-houses are used now. It is a relation of mine that keeps it. As I was coming in from Glasnevin Cemetery, I went in on my way back, because a shower of rain came on, and it is a house that I go into to see them for friendship's sake, not altogether for the sake of drinking. I saw a friend of mine there that had been district master Forester, and having been a master Forester myself, he and I had some refreshment together. I think he took a glass of claret, and I took a bottle of lemonade or soda-water, with a half of port in it, or something in that way.

3103. Were any efforts made that day, it being Sunday, in the public-house, to get up petitions against this Bill?—No, that public-house has not done so; they have not got up a petition there.

3104. In the other public-house you say that many of the persons refused to sign the petition?—Yes.

3105. You have also said that there were a great number of foreign sailors present?—Yes; I saw some come in and out, who I will not say were foreigners, because foreigners would be a doubtful word; I would say sailors from England and Scotland.

3106. Of course they would not care to sign the petition?—But I saw some of their names put down, some of those men that appeared to me as seafaring men, I saw them getting their names down.

3107. In

Mr. Maurice Brooks—continued.

3107. In favour of keeping open?—Yes.

3108. With regard to sailors, would it not be a greater deprivation to sailors in a foreign port if they could not get a glass of beer on a Sunday, than it would be to you with your own nice house in Summer Hill?—It might be inconvenient to them, but I think that there are very few of them but are provided in that way on board.

3109. A sailor who is on board all the week, and on his voyage, would naturally seek some place of public entertainment, would he not, when in port?—I think that he has plenty of opportunities without turning Sunday into a day of that sort of recreation. Sailors are not always in port of a Sunday.

3110. When in port on Sunday, would you close houses of public entertainment to sailors?—They are closed to a great extent; for instance, the singing-houses that sailors greatly frequent are closed on Sundays.

3111. Do you think that that is a good reason why you should close a house that is under the supervision of the police?—If it is in their favour alone, they ought to be closed, because if sailors come in flush of money, they are the very class of men that might make fools of themselves, and cause disturbance.

3112. You have already drawn a very wide distinction between the beer-house-keeper, whom we all condemn, and the publican, who keeps a regular licensed open public-house; would it not follow that if you close the well-lighted and well-ventilated public-house, which is under the supervision of the police, the sailors all along the quay-side and the dock's side would be driven into the beer-houses and into immoral houses; have you considered that?—So far as that is concerned, it may be more respectable looking, and carried on more respectably; but it does not make it a bit more respectable for a man to get drunk in a legitimate house than in a beer-house. It is the same to him, the crime is as bad and as disgraceful; but I certainly would let a sailor get his refreshment where he liked, and let the police look after the beer-houses, and see that no one did get into them. It is quite easy to know where every beer-house in Dublin is, and nothing is so absurd as to say that the police could not cope with it.

3113. Would not it follow that a sailor from a foreign port would have no place of entertainment?—No; I think that the *bona fide* traveller class could provide for that; he could be brought in under that. It could be a proviso, that any sailors coming in from a foreign port on a Sunday should have a certain amount of drink allowed to their vessel; that could be very easily provided.

3114. In an hotel do you mean?—No, let it be sent for out of his own ship. It is not so very far; as the vessel comes up the river, the places swarm with public-houses, and it is very easy to get a policeman to go with the steward of the vessel, and say, "This vessel came into port last night, they must have so much refreshment." Let them get it and go away again. I do not want to crush any one; I would like to give every one a fair opportunity of getting what they like. I do not mean to go without refreshment on Sunday if this Bill should pass, for I will provide myself otherwise.

3115. On your visit, which you told us of, I think you and the other Forester had for refreshment a glass of claret and a bottle of ginger-beer?  
0.59.

Mr. Maurice Brooks—continued.

—I did not say ginger beer; it may have been a half of brandy in a bottle of lemonade, or it may not have been anything more than soda-water; but we had something together, and we had cigars too.

3116. Do you not think that a very reasonable and respectable mode for a working-man, an artisan and a foreman of works, to refresh himself on Sunday?—Yes; but then that is all very fine. If you look around you you see a man sitting there, and you are in the same group, and the man is in rags. That very day I saw a little child, not the height of this table, come and ask a man to go home to his dinner. She said, "Come home to your dinner, father," and he told her to go away; and this tall man, towering up above us all, made an offer to kick the little child. My friend, the pest district chief Forester, turned round to me, and said, "There is something for the Sunday closers," if they saw it. "Well," said I, "I see it." However, I would not have thought of it only you put the question to me.

3117. Would not that be equally applicable to all the breweries and distilleries in Dublin; might not the same reasons that make you think that it would be wise to close all the public-houses make you think it wise to close the breweries and distilleries altogether?—That would be a very bad job; I would not like that. I would like an old glass of grog myself; and if the distilleries were all closed we would never get it.

3118. You are of opinion, are you not, that the line must be drawn somewhere?—I think, if the line is to be drawn at all, by all means, I say, draw it on the Sabbath-day; every other trade is idle, even trades that would be quite harmless in comparison; and I think it is only fair on the Lord's Day to let the public-house be closed. I think that is the fairest way to draw it; and another thing which must be taken into account is that a great many of the publicans are in favour of it themselves. All the young men are in favour of it, the poor fellows that are working in the public-houses 17 hours a day. I have often pitied them when I have gone out into the park on a Sunday, and a friend of mine, one of those young men, with me, and he would say, "I must go home, my time is nearly up, it is close upon two o'clock." The young men in the public-houses, very respectable young fellows, that have got a very good education too, the vast majority of them are in favour of closing on Sundays.

3119. Are you still of opinion that it is better to close entirely on Sunday from morning till night than to further restrict the hours, say from 2 to 7?—I would be for total closing on Sundays altogether, and I will tell you the reason why; there was a public-house right opposite my door, and when the public-houses used to be opened till 11 o'clock on Sunday night, there used to be always rows. In fact, you could not go to sleep till after 12, on account of the disturbance; now, at 9 o'clock there is comparative peace; and another reason I have for thinking so is, that I have never seen the hours of drinking reduced that it did not lead to sobriety; for instance, on Good Friday there is not nearly so much drinking as upon any other day; it is like Sunday up to 2 o'clock, unless people go to look for it into those low places where no matter what day it is you will find rioting and disorder; you will find it there even on Sunday up to 2 o'clock.

3120. On Sunday evening at 9 o'clock, opposite  
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your

Mr. Briscoe.

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Mr. Bruce.

Mr. Maurice Brooks—continued.

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your house, you say there is comparative quiet?—Yes, comparative quiet after the shop is closed. On a couple of Christmas days a great number of houses were not open at all during the whole day, and it really was very pleasant to see the change there was in the streets, and the quietness and the peace all round.

3121. Is there more than one butchers' society in Dublin?—There are the master butchers and the journeymen butchers, and I think there is a lower grade of butchers under them, what they call porters; but, to tell you the truth, I have not much knowledge of the butchers' societies; I was never at a meeting of theirs. There are a great many of them that know me, because there are a great many of them Foresters, and I was president of the Foresters for one year in Dublin; I am pretty well known in Dublin.

3122. Do you know whether there are more than one journeymen butchers' society in Dublin?—No; the butchers have another society, called the Butchers' Loan Fund Society, and I know the secretary of it.

3123. Do you know of any other?—I do not know; there may be more, but I do not know them.

3124. Which of them does this authorisation come from?—It comes from the journeymen butchers.

3125. Where do they meet?—At Coles-lane, at Ranshe's public-house.

3126. Do you know many of their members?—Yes, I know them just by seeing them, but I have not many acquaintances amongst them; in fact, I do not know what made them select me to represent them at all; I do not know why I have recommended myself to their notice; I suppose it is because they thought I could say what would be fair, and what would represent them. I hope that anything I have said does not appear in any way biased, for I really would not like to deprive anyone of the fair exercise of their mind and will, unless where they would go too far, and then, of course, society must step in and stop it, like the laws that are made by one section of the people for governing the rest; but, so far as moral freedom is concerned, I would like every one to have it.

3127. Is there any other Working Men's Club than that in York-street?—There was another in Middle Gardiner-street, but it was closed; it was found that the one was sufficient. The other house was a very inconvenient kind of house; there were public-houses opposite to it, and they gave it up.

3128. I understood you to say that the one on the south side of the city, being so far removed from your residence, has ceased to be available for you?—Quite so; but then they could not keep the one on the north side open for my sole use and benefit. I would be very sorry to be belonging to a thing that would take so much money to support; the majority of the members are on the south side.

3129. Do you mean that the one in Gardiner-street was not self-sustaining?—Not so much as the other; and another thing, too, the committee's time was taken up too much looking after the two of them; they both were under one committee.

3130. In that case there is but one Working Men's Club?—But one.

Mr. Maurice Brooks—continued.

3131. And that is in a private house?—It is a public one now, so far as the public is concerned, and it is a very sober public-house too; there is no other that I am aware of. There are, of course, plenty of Young Men's Christian Associations of all denominations that workmen belong to, but I am not acquainted with them; I look upon the Mechanics' Institute as a workmen's club.

Mr. J. Hamilton.

3132. You act as time-keeper at Messrs. Hutton's coach-building factory?—Yes.

3133. On the Monday morning, have you ever found that the men do not come in regularly?—Yes; particularly on Monday morning.

3134. I think that in one case you said 13 out of 33 only attended?—Only 13 out of 30; I know there was not one-third of the men in the forge yesterday morning before I started.

3135. Is there not a very great complaint amongst all employers of labour in Dublin about the difficulty of getting their men to attend on the Monday morning to accomplish any work that they are engaged upon?—To tell the real truth, my feeling would be that I would rather they would not come on the Monday morning, because they are not able to pay that attention to their work that they ought.

3136. And that is the result of the previous night's intoxication?—Yes; if the public-houses were closed on the Sundays, it would be for the benefit of the working man, his family, and his employer too; in fact, it would be for the benefit of everyone, for you would not have to be supporting so many in prison or in poor houses; in fact, it is an ugly blot that is destroying everything on the face of society.

3137. You think that if the Sunday drinking temptation was removed from those men they would be more regular in their attendance, be able to do better work, and earn better wages?—That is my belief.

Lord Charles Belfrage.

3138. Do you mean by a beerhouse an illicit house?—No, I do not call a beerhouse an illicit house, because they are licensed to sell. I do not know anything about the working of them, for I do not think I ever was in one in my life. But what I take to be considered as illicit houses are the spirit grocers, who sell groceries, and who have a license to sell wholesale, that is, for sale in bottle or jug, or anything that a person brings in to take the drink away in. But these are a very respectable lot of men, the spirit grocers; some of them, in fact, are far more respectable than publicans.

3139. I understood you to speak of the beer-houses as if they were illicit houses?—I understood, from reading the evidence that was given here by different witnesses, that there are a great many illicit houses that sell even without a beer license.

3140. Do you think that a great number of people get drunk at the beerhouses?—Yes, but that does not show much, on what you call the surface of society. They just take the drink in those lanes and low places, and there cannot be much good done until the beer-houses are properly weeded out. The Sunday Closing Act will, I am sure, have great effect, but then so long as the beer-houses are not properly rooted out by the police

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Lon. C. Beresford—continued.

you cannot expect much good. They are the only men that can do it, unless some volunteer force, or vigilance committee, would come forward and assist them.

3141. Do you think it would be better if the public-houses were closed earlier on Saturdays?—I think it would; but then that is not the question now; of course, if the public-houses were closed earlier on Saturday, it would do a great deal of good to the working men, although it would do great injury to the publicans.

3142. You are strongly in favour yourself of having them entirely closed on Sunday, are you not?—Yes, I think it would be folly to open them for one or two, or three hours, because that would be just letting the drunkard get a fresh supply. In fact, you would not be conveniencing the respectable or sober man to any extent, for he could, as I said before, provide himself on Saturday.

Mr. Brown.

3143. As a matter of fact, there is more intemperance on Saturday night than on Sunday, is there not?—I think it would be hard to separate them. I think that some of the drunkenness that is on Saturday night continues on into the Sunday; but there is more drinking on Saturday night. There is many a one drinks, we will say, on the Saturday, and does not get what you call really drunk, but will finish it up on Sunday.

3144. I think you spoke, in answer to a question from the honourable Member for Louth, of some trades in which they keep the festival of St. Monday by going off to Sandymount?—I said that they were confined to a few trades that are noted for drinking.

3145. Is it the fact that there are one or two trades in Dublin who do make it a custom, or almost a custom, of their trade to make excursions on Monday?—They do not go in a body. There may be more of these trades go than of any others; but still it is only an insignificant number. The majority of the working men of Dublin are well and soberly inclined, and a very intelligent class; but there are, of course, some that will drop out and make fools of themselves. I did not start the question of St. Monday myself; it was only in answer to one of the honourable Members that I said what I have about them. Indeed the thing is so insignificant that I would not think it worth noting. You may go to Sandymount on Monday and see about a dozen people there, but not much more.

3146. With regard to these workmen's clubs, do you think it would be a benefit to the working or artisan classes if they had more of these working men's clubs in Dublin?—It would; and if this Bill passes, I am sure it will lead to that, that the men will form themselves into clubs, and the valuable time that is wasted now standing at the public-house counter will be turned to their improvement in many other ways.

3147. With regard to the York-street Club, supposing there was a total closing of the public-houses on Sunday, do you think it would be an improvement to allow in moderation the sale of drink there on Sundays?—Unless they re-model the rules they could not allow it now. I would not have the slightest objection, under really proper supervision, to allow the working men to have what they call a club. Of course they have it now to a great extent. There are some of

Mr. Brown—continued.

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what I call the respectable class of working men, members of boat clubs, where they can have a drink, and I would give the same privilege to any respectable working men, or to any man that would confine himself to the rules of the club. Of course, one of the fundamental rules would be good conduct, and as soon as that would be outraged, he should be expelled the same, as is done in other clubs.

3148. You think it would be quite feasible to establish workmen's clubs in Dublin, open on Sundays, in which the moderate sale of drink might be carried on without any breach of the laws of temperance?—I think it could be managed so that there would not be any great amount of intemperance, but still I would leave it to them to call for it, and as they have not called for it, I think it would be introducing a new thing amongst them. If they could do without it, I would let it alone. I do not think that they want to go into this club business. I think that a man can form a very nice little club in his own family, without having so much drink. I do not believe in this thing which is put forward about the family being corrupted by the drink having to be brought home.

3149. I suppose there are a great number of artisans and working men in Dublin who have not got families?—Indeed there are.

3150. And to those a club of this sort would be a great boon, would it not?—Yes, to what you call bachelors, single men, it would.

3151. Always supposing that the public-houses are closed on Sundays?—Yes. But single men must live in some place. I have been a single man myself. I used to have my half-dozen of porter in the house, and if I wished, any night when I came home from the theatre, and the public-house was shut, I could have it when I got home. I could take a bottle of porter before going to bed, and it was not at all an uncomfortable thing. I do not see what is to prevent a single man doing that; he must live in some place.

3152. If there was no place open for him, either a club or a public-house, he would have rather a solitary time of it?—I do not know that; there are a number of men who live in the world without taking any intoxicating drink at all.

3153. I am not talking of drink, but of social amusements; I say that he would have a solitary time of it if there were neither a public-house nor a club open on Sunday?—He has the whole week to enjoy himself, in so far as recreation goes, along with the drink. But then I think, even if the public-houses were open on Sunday, he might take drink without recreation on the Sunday. He must be satisfied to do without what we call physical enjoyment on that day, by just taking drink and nothing more; therefore, when he can have drink at home, I think every man should keep himself a little quieter on Sunday than he would on any other day of the week, and then he would not miss those enjoyments that you mention. There is no great enjoyment after all in drinking in a public-house; you would enjoy it better at home, although you cannot have your home always about you.

3154. Is it your evidence, that it would not be necessary, or would not be beneficial to the working men, to have clubs established which would be open on Sundays?—I really do not think it would; I think it would be just letting in the thin end of the wedge.

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3155. Putting

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Mr. Brown—continued.

3155. Putting aside the question of drink, do you think it would be for the benefit of the working men if they had clubs open on Sunday evening, to which they could resort for the purposes of social enjoyment, and in which the sale of drink would be prohibited?—I think it would all depend upon the sort of amusement that would be carried on; there are certain amusements that I would be entirely against on Sundays, such as dancing on Sunday evening; at the same time I do not object to a man singing a song on Sunday, or whistling, or anything he likes to do, because I do not consider there is any great harm in it; but still we cannot say where it would get to; one thing would lead to another.

Mr. EDWARD MURRAY, called in; and Examined.

Mr.

Murray.

Mr. Sullivan.

3158. You have been delegated, have you not, by the workmen's club about which evidence has been given here?—Yes.

3159. Are you secretary to the working men's club?—I am, for a couple of years.

3160. How many working men are represented by you in that capacity?—About 300.

3161. In what trade are you yourself?—I am a carpet-fitter; it is not recognised as a trade, but that is my occupation.

3162. You work at weekly wages?—Yes.

3163. Do you mix about a good deal amongst the working men of Dublin?—I do to a great extent.

3164. Are they not on the whole an intelligent and respectable body of working men?—I cannot speak by comparison, because I do not know the working men of other places; but I believe that the working men of Dublin are intelligent, and take a deep interest in public affairs.

3165. Do you think that the bulk of the working men of Dublin, the average steady, sober, well-disposed men, would hesitate to put up with some little inconvenience about Sunday drinking for the sake of saving the unfortunate drunkards from the temptations of that day?—I do not believe they would hesitate about it at all; I have been speaking to a large number of them, and they have admitted that while it would be inconvenient to them, and they would feel it, to a certain extent, a hardship, they say that they would be quite willing to put up with that inconvenience for the sake of the numbers that do get drunk in public-houses on Sunday.

3166. Did you ever hear the working men of Dublin discuss what a great saving of wages it would be throughout the working classes if the Sunday drinking were stopped?—I did; I have had, on several occasions, to lend money to men that have wanted it on Monday morning, who have told me that they have spent it in public-houses, and if they were closed such would not occur.

3167. As a general rule, have not the sober and steady men who use public-houses a knowledge of the dreadful waste of wages amongst others of their body?—Yes, they know it.

3168. And have they not frequently said, and is it not your experience in mixing with them, that they say that they would put up with a little inconvenience themselves to stop this frightful

Mr. Sullivan.

3156. I think one of the honourable Members asked you about having public-houses open on Sundays for recreation; will you tell me what recreations are provided in the Dublin public-houses; are there any?—No.

3157. Is there anything but the drink in the public-houses of Dublin; any recreation provided for the people?—There are some of them that have bagatelle tables, and some of them have skittle alleys; I have played skittles myself on Sunday when I was younger, but that was outside in the gardens; I could never see the great enjoyment there is in standing at a counter; I have often wished, but for politeness' sake, that I could get away.

Mr. Sullivan—continued.

waste of wages?—That is my experience of them, that the majority would; even one working man who attended the meeting in the Rotunda, and who has taken a prominent part in opposing the Sunday closing question, confessed to me when I met him one Sunday evening nearly drunk, and we had a discussion about the question, that "had the public-houses been closed I would not be going home to my family as I am."

3169. As to the wives and sisters, the female portion of our artisan class in Dublin, are they not a virtuous, well conducted, class of respectable women?—I believe they are.

3170. Would not the home influences of the wives upon the men, if they were only drinking at home, you think, be a check upon the men not to drink too much at home?—I believe that when the workmen go home on Saturday night, when they are giving out the portion of their wages that they give to their wives, they take into account what they will require for Sunday drinking when they meet their acquaintances, and I believe if they knew that the public-houses would be closed, they would give that money to their wives, and would not spend it on drink.

3171. From talking with your fellow workmen throughout the city of Dublin, have you any idea what proportion of their wages goes to the wife, and what proportion to the drink-shop; we will take a man earning 25 s. a week; how much of that 25 s. does the wife get, and how much the publican on a general average?—I believe, taking men who earn 25 s. a week, on the average they spend about 5 s. on drink.

3172. That is taking them all round, the good and the bad?—Yes.

3173. Were you at the Rotunda meeting the other night?—I was.

3174. Did you see that highly intelligent gentleman, the chairman?—No, I did not see him there at all.

3175. Was Mr. Higgins in the chair?—I was badly beaten before the chair was taken (and so I had not an opportunity of seeing the chairman) by men who I had very good reason to believe were drink sellers; two of them I believe to be assistants, and there is one of them that has a licensed house in Dublin.

3176. It was described to this Committee as a meeting of the trades and working classes of Dublin. You saw the meeting before the chair

was



Mr. Sullivan—continued.

was taken; and it, in your opinion, a *bona fide* free meeting of the working classes of Dublin, or was it a meeting of the working classes connected with the drinking trade, got up by the publicans?—I believe it was got up by the publicans, and paid for by them, and that it was not a fair or free meeting of working men. As the hour at which the chair was announced to be taken was eight o'clock, I went there early, and I saw one letting in men by the private door round in Cavendish-row. I went down to the door and my ticket was demanded of me; I had no ticket, I said; I went there on the invitation of a handbill which I received during the day, and I expected it was a public meeting. Whilst I was at the entrance to this side door I saw out in the street several men that I knew to be publicans; and whilst I was there, there were batches of men coming in, brewers' men, men wearing those great frieze coats that brewers' draymen wear. As batches of men passed in, I heard the man on the door say, "These are Mr. Nagle's men; these are Mr. O'Connor's men." There were parties standing outside, and a person inside the door; they called Mr. O'Leary, and I heard him say to this O'Leary, "You may let those men in." While I was there one of two grocers' assistants (who, I believe, beat me afterwards, for I was attacked in such a way that I could not recognize the men that struck me) asked me was I a person who came there to talk out the meeting; I had no intention of doing so. I said I came as a working man to hear what would be said on the question. Two of those men whom I believe to be grocers' assistants, told me that if I opened my lips they would have me trampled upon.

3177. You have been at many large and small meetings in favour of Sunday closing, have you not?—I have.

3178. And at those meetings hostile amendments were moved, and speakers spoke to them?—Yes.

3179. Was there any conduct like that in your whole experience at a Sunday closing meeting?—There never was.

3180. Was any man ever denied a bearing by the chairman?—Not at any meeting that I ever was at.

3181. Although they were called in favour of Sunday closing, nevertheless were not the amendments received and put from the chair?—Yes, they were.

3182. Was a man who came forward to move an amendment ever kicked off the platform?—He never was; in fact, I saw them bundled up on the platform in the Mechanics' Institute.

3183. You, as secretary of the working men's club, have been at many Sunday closing meetings; was there ever any such proceeding as getting in a large body of people on the platform for the purpose of protecting the platform; at the Park meetings was anything of that kind ever done?—Never at any meeting that I was at, and I have been at most of them.

3184. You were at the Park meeting, did you speak at it?—I spoke at the one last year, and I acted as secretary at the meeting of the previous year.

3185. Was that a large meeting?—I think, judging by other meetings that I have been at, and judging from the press returns that were given of the number, there were about 4,000 or 5,000.

Mr. Sullivan—continued.

5,000 at the first meeting in 1875, and I believe there were 12,000 or 14,000 at the last meeting. I was listening to the reporters and press men when they were discussing the numbers, and they were divided in their opinion as between 10,000 and 8,000, and one man said that he thought there were not more than 5,000, but the oldest reporter said that there were 10,000 at least.

3186. Will you tell me if, at the time that you were struck and beaten at this free and open meeting got up by the publicans, you were striking any one, or doing anything whatever to call forth that violence; what were you really doing?—Simply standing there in company with a couple of friends waiting to see the proceedings commenced, and a friend that was beside me said, "You have been pointed out from the platform." The promoters of the meeting, or those that were to conduct it, had just come out on the platform before I was attacked when my friend told me that, and instantly I was struck and beaten about quite severely.

3187. You were recognised as being identified with the Sunday closing movement, and a secretary of the working men's club?—Yes, I suppose so.

3188. And you were immediately beaten by three men?—Yes, I was beaten; I was kicked half round the room at least; I was boxed and cuffed.

3189. Were you present at the meeting of the working men's club when you were appointed to come here?—Yes, I was.

3190. Was the Sunday closing question discussed at that meeting?—We did not enter into any discussion of the question, because the members had passed resolutions and petitions in favour of it; the object of the meeting was stated on post-cards which we had sent to every member.

3191. What was stated on the post-card?—That they should elect a delegate to give evidence, and to represent the opinion of the members of the club on the Sunday closing question.

3192. Has the temperance question in other respects been discussed at other meetings of the club?—It has.

3193. Do the club hold a strong opinion upon it?—They do; most of the members do.

3194. Should you say, for instance, that they were in favour of the Permissive Bill?—I believe they would be, but that question has never been discussed at our meetings.

3195. Has any other question of temperance legislation besides the Sunday closing question, been discussed?—We had a discussion, about a fortnight ago, as to the advisability of working in favour of the Gothenburg plan, or the Permissive Bill. There was a division of opinion, and the majority of the members present voted in favour of the Permissive Bill. Indeed it was a debating club that we have in connection with the club; it was not a regular and formal meeting to discuss the question.

3196. How many members of the club were present at the meeting when you were deputed to come here?—I believe about 70, but it was only at the dinner time that the meeting was convened, and some of the members did not get the post-cards until it was too late that night.

3197. Do you know whether the members who were present wore, as a rule, testimonials or not?—As a rule, they were.

3198. Are you in the habit of using public-house

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hence yourself at all?—No, not latterly; I did at one time.

3199. Are you a teetotaler now?—I am.

Mr. Marten.

3200. Have you any grounds for stating that the meeting at the Rotunda was paid for by the publicans?—They held a preliminary meeting in the Painters' Hall, in Aungier-street, and Mr. Dryer, the secretary of the licensed victuallers, was present, and some other leading publicans of Dublin, and a member of a trade's society who was present told me that one of the publicans said that it could not be expected that the working men would pay for a public room for a public meeting for that purpose, and that they would pay for the room round at the Rotunda, and all the expenses connected with it.

3201. Were any policemen present at, or outside, the meeting that you have spoken of?—They were outside.

3202. Were any policemen outside the door at the time when you went early?—There were.

3203. You were not beaten, as I understand, outside?—No, inside.

3204. Were these policemen inside when you were beaten?—No.

3205. I suppose no complaint has been brought before the magistrates on account of your being beaten?—No, none; there was one lad had to go to the hospital with a cut in his head. I do not mean to take any proceeding.

Mr. Maurice Brooks.

3206. What was the avowed object of the large meeting in the Rotunda?—It was a meeting of the working men to protest against the Sunday Closing Bill.

3207. Do you think that you did not provoke them by your presence there, being a known advocate of teetotalism and temperance societies; was not that calculated to provoke anger on the part of those who met to protest against this effort?—I did not expect that I would be welcome there, but I did not anticipate the treatment that I received.

3208. Did they look upon you as a spy upon the proceedings?—I do not know how they could think me a spy at a public meeting; I did not receive any ill-treatment from the working men; it was the men engaged in the drink trade.

3209. May I ask you why you have permitted this outrage upon the public feeling in your own person to remain without investigation by a magistrate?—There are various reasons. In the first place, I felt mortified at being beaten in that way and disfigured. I had a pair of black eyes, and I kept within doors as much as I could. I did not wish to appear in court. As I am situated, I do not think it would serve me in my employment to appear in a public court as a prosecutor.

3210. Do you hold any other office in the Temperance Association except that of Secretary of the York-street Club?—No, only honorary secretary of that club.

3211. You are not a Forester or Good Templar?—No.

3212. You spoke, I think, of a man being handed off the platform at the Mechanics' Institute meeting, where Mr. Sullivan was chairman?—No. Handed up; it is by a small step ladder that you get up to the platform, and some of the

Mr. Maurice Brooks—continued.

gentlemen on the platform put down their hands to help him up.

3213. There was no protest on the part of the people in the Park against this proposal to coerce them on Sundays?—No. When the resolution was passed, there were some men, and a man, I believe, who is a member of a trade society; he is a carpenter, and he is as well known as any tradesman in Dublin; he came round and spoke to me, and said that he would not support the Sunday Closing movement, and I asked him if he had anything to say in opposition to it, and if he had he would have a full opportunity if he would come up to the platform; but he said that he did not wish it.

3214. Do the working men who attended that meeting consider that it was an attempt to coerce their liberty to do that which in itself is not improper on Sundays?—I do not believe that they do; it would not be easy to hold a public meeting in the Phoenix Park, in support of what may be termed coercion.

3215. Those who attended the meeting at the Rotunda attended to protest against the Sunday closing movement?—I do not believe they did; I have reason for believing that there was a levy made in most of the breweries and the distilleries to send men there, and no doubt there was a large element in it opposed to the Sunday closing; but I believe that if the men who got up to move an amendment got a fair hearing, that I think that the voting to the resolution and to the amendment would have been pretty evenly balanced.

3216. You were asked by the honourable Member for Louth as to the waste of wages by the artisans in intoxicating liquors, and I understand you to say that it would amount to about 5s. out of the wages of a man who would earn 25s.?—Yes.

3217. That would be for the whole of the week?—With the working men earning that wages the drinking is confined to Saturday night and to Sunday; some of them who have money enough may drink on a Monday, but it is a thing altogether unknown except by some mere chance, that men working for that wages drink anything during the week.

3218. Seeing that you would prohibit them from drinking on Sunday, and also from drinking on Saturday night and wasting their wages on those days, would you go further and put a restraint to all consumption of alcoholic liquor by working men?—I would not if the working men evinced as strong desire for the total suppression of public-houses as they have evinced for Sunday closing; I certainly would then support a measure to that effect. But at the present stage, I believe that the majority of the working men of every class would be opposed to it. I certainly would not support a measure that would stop the sale of liquor.

3219. Where is the evidence that working men are in favour of closing on Sunday?—What has come under my own notice I will tell you; I stood at the chapel door of St. Nicholas, in Francis-street, a Roman Catholic church, which I believe is the most densely populated and poorest parish in Dublin; I stood one Sunday with the petition at the door, asking people to sign it, and the refusals to sign it were not one in 10; I stood at another chapel door, which was not in so poor a parish, in St. Kevin's, and it was the same story

Mr. Maurice Brooks—continued.

story there; it was only that I had not sufficient table accommodation there, for the sheets that I brought with me to Francis-street were filled, and it was only because I had not table accommodation and more paper that I had not more names.

3220. Were they not, at least half of them, people that had no interest in the subject of keeping the public-houses open on Sunday, people who would not use them?—About half of them, because half of those that signed were women; although intemperance prevails to a large extent amongst women, still as a rule they do not use the public-houses on Sunday; and a large number signed it because they believed that it would save their husbands from Sunday intemperance; when I say half, of course I am only just giving the number at a guess; a large proportion were women.

3221. The largest half of the people that go to church are women, are they not?—Yes.

3222. Of the remaining half, how many do you think would be children, and boys, and persons who do not use public-houses?—There were no boys or children who signed the petition; they were all grown-up persons, because I had but a small table, and I did not receive signatures from any but grown-up persons.

3223. Are you still of opinion that one-half of them being women, and one-tenth of the whole refusing to sign, that one-tenth should be coerced and should not be permitted to avail themselves of a lawful use of a house of public entertainment on Sundays?—I believe they should; I believe that it would be a great piece of injustice if, for the sake of accommodating one-tenth of the population, a portion of this one-tenth being interested in the traffic, to maintain open public-houses that have been doing so much damage to nine-tenths.

3224. Is it not perfectly clear that a number of working men do refrain from using the public-houses?—I will give you an instance of that. I was passing by the yard where the corporation men are paid one day a short time ago; it was on a Monday. I do not know whether it had reference to Sunday or Saturday night's drinking, but I saw a man give some money to his wife, saying, "It is the cursed house opposite that has caught us." That shows that the working men cannot act with freedom in that respect. Because it is not with working men as with gentlemen. There is a treating system amongst working men. If they meet with a friend, and they have a shilling at all, there is no coercion in the case; but a working man will go in and have drink to give a friend, no matter whether they go in or come out.

3225. You do not see that a complete remedy for this would be to put a stop to breweries and distilleries?—Of course that would put a stop to it. If you take away the drink, there can be no drunkenness. In the same way, if you take it away on Sunday, I believe it would banish Sunday drunkenness, but I would not vote for the abolition of breweries and distilleries until the people expressed a desire to have them abolished,

Mr. Maurice Brooks—continued.

and unless it was desired by an overwhelming majority of the people such as have expressed their views in favour of Sunday closing, and then I would be in favour of it.

3226. Would you be rather in favour of further restricting the hours on Sunday than closing them altogether, say from two to, say half-past six, before people go to Divine worship?—Then you would have them just rolling out whilst the respectable portion would be going to Divine worship. I believe it would be better almost to let them remain open until a later hour than offend the people who are going to church by drunken men who are coming out in that way. I believe it would be better to close them from Saturday until Monday, and let the working men have a sober day to prepare them for Monday's work.

3227. How will it be if they get drunk at home, as is the case in Scotland?—About men getting drunk at home, I do not say that it would be the case to any great extent; I could not express an opinion about the difference between a man drinking at home and drinking in a public-house; but I think there is a greater likelihood that a man would be sober at home if he had drink there than in a public-house.

Mr. Bruce.

3228. You spoke, I think, of a proportion of ten to one as expressing an opinion in favour of Sunday-closing?—I asked them to sign the petition, and about nine out of every ten signed.

3229. Do you assume that if people refused to sign they were against Sunday closing?—Some of them made no answer at all, but passed on.

3230. Do you say that ten to one would be a correct representation of the feeling of the whole working class community in Dublin on that point?—I believe it was; I stood at the door of a poor church, and the people were of the very poorest class, and about that proportion signed in favour of it.

3231. The basis of your opinion on that point is the signatures to this petition?—Yes.

Mr. Maurice Brooks.

3232. How many signatures did you obtain to that petition on that Sunday?—I think about 600 or 700.

3233. In how many hours?—From 10 to 12.

Chairman.

3234. Have you lived long in Dublin?—I have been there all my lifetime.

3235. Have you taken any active part in the Sunday closing movement, besides obtaining signatures to petitions?—I have attended nearly all the meetings, and I have spoken at two meetings.

3236. Were you one of the canvassers in the house-to-house canvass?—No.

3237. You do not hold any paid office in connection with the association?—No; I never received a penny from any temperance association or Sunday closing association. It was all volunteer work anything that I did.

Mr.  
Murray.  
20 March  
1877.

Friday, 23rd March 1877.

MEMBERS PRESENT:

Sir Michael Hicks Beach.  
Mr. Maurice Brooks.  
Dr. Cameron.  
Mr. Ion Hamilton.  
Mr. Law.

Mr. Charles Lewis.  
Mr. Meldra.  
Mr. O'Shaughnessy.  
Mr. Sullivan.

THE RIGHT HONOURABLE SIR MICHAEL HICKS BEACH, BART., IN THE CHAIR.

Mr. ALEXANDER McCALL, called in; and Examined.

Dr. Cameron.

Dr. Cameron—continued

Mr. McCALL.  
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3238. You are the Chief Constable of Glasgow, are you not?—I am chief constable of Glasgow.

3239. How long have you held that office?—I have held that position since June 1870.

3240. You were connected with the police force of Glasgow for a very long time before, were you not?—Since 1850. For five years previous to 1850, I was an assistant in the Procurator Fiscal's Office.

3241. That is to say, before the passing of the Forbes Mackenzie Act?—Yes.

3242. At what date did the Forbes Mackenzie Act come into operation?—In May 1854; it was passed in 1853, and came into force in 1854.

3243. Will you give the Committee some figures regarding the extent and population of Glasgow?—The population of Glasgow at the present time is 545,000 within the municipal boundary, and the area of the city is 6,033 acres, or very nearly 9½ square miles.

3244. Including the suburbs immediately contiguous to Glasgow, what is the population of the town?—Taking a circle of a mile and a quarter beyond the radius of Glasgow, you would have a population of 120,000 more; that would give in all 665,000.

3245. What number of natives of Ireland do you imagine are comprised in the population of Glasgow?—In the present population there would be 76,000 Irish; that is to say, born in Ireland.

3246. Is that according to the last census?—At the census of 1871, when the population was 480,442, the Irish population was 70,410.

3247. Do you calculate that that has now increased to the figure which you have given?—I do.

3248. What is the number of the police force of Glasgow?—The gross strength of the police force of Glasgow is 1,001.

3249. That includes, however, does it not, a number of non-effective persons?—It includes surgeons, female turnkeys, powder magazine keepers, tailors, lamp trimmers, and messengers.

3250. What is the effective strength?—The effective strength is 950, including the marine division, which is 70 strong.

3251. What are the duties of the marine division?—They are exclusively confined to the harbour and the docks, and its jurisdiction extends down the River and Frith of Clyde, 25 miles from the city.

3252. How many descriptions of licenses are there?—There are three descriptions of licenses in Scotland, namely, the hotel, the public-house, and the grocer or dealer.

3253. That is to say, there are three principal descriptions, but there are also, are there not, a couple of other smaller categories of licenses?—Under the public-house category there are three sub-divisions.

3254. You have also a beer license, and a steamer license which you grant, do you not?—Those the magistrates have nothing to do with at all. The beer license is granted by the Excise.

3255. How many public-house licenses are there in Glasgow?—There are 34 hotels, 1,546 public-houses, and 268 grocers; total 1,848.

3256. How many beerhouses?—I do not know that.

3257. According to the last return, I think there were 19 beerhouses?—I should suppose there would be about that number. As I say, those licenses are issued by the Excise without any recommendation from the magistrates at all.

3258. And those licensed houses which you have mentioned, the 1,546 public-houses, and the 268 grocers, are absolutely closed on Sundays, are they not?—Entirely closed on Sundays; from 11 o'clock on Saturday night until 8 o'clock on Monday morning.

3259. There are no exemptions in that case made in favour of *dead side* travellers?—None whatever.

3260. The only houses that are permitted to sell drink on Sundays in Glasgow are the 34 hotels?—Yes, only the 34 hotels.

3261. And they are allowed only to sell liquor to lodgers and *dead side* travellers?—To lodgers and travellers. The word *dead side* traveller has been dropped out of the Act of 1862, and it is "travellers." I may state with regard to the 34 hotels, that while there are 34 certificates issued by the magistrates there are only 32 hotels.

Dr. Cameron—continued.

hotels actually in existence. Two certificates were granted to houses that have not yet commenced business.

3262. The grocers are closed on Sunday, are they not?—Yes, as well as the public-houses.

Mr. Meikles.

3263. And the beerhouses?—Yes, they are shut up also.

Dr. Cameron.

3264. Are there many hotels in the outlying districts of Glasgow?—The nearest hotel to Glasgow is in the Burgh of Renfrew, about five-and-a-half miles from Glasgow.

3265. Therefore if any inhabitant of Glasgow wishes to get drunk he must proceed at least five-and-a-half miles outside the town to get it?—That is the nearest place where he can get it legitimately.

3266. Have you any information which you can give the Committee regarding the number of travellers who enter and leave Glasgow on Sundays?—There are about 4,000 people on an average who arrive in Glasgow on Sunday by railway, steamboat, and omnibus.

3267. Have you any figures as to how many leave Glasgow by those conveyances?—Two thousand five hundred and forty-six on an average leave Glasgow, but while 4,000 is the number that arrive in Glasgow by conveyances, I should suppose that, including those who come in on foot, there may be about 10,000 people who arrive in Glasgow on Sunday.

3268. Have you any information as to the number of persons who frequent the hotels on Sundays?—On Sunday last between the hours of 4 and 8 in the evening, I caused a census to be taken of the number of persons who entered all the hotels in Glasgow, and I should say that those two hours, from 4 to 8 o'clock on Sunday evening, would represent at least one-fourth of the number during the whole day, at least I would form that opinion of it. There were 2,000 entered the hotels in Glasgow in those two hours on Sunday last. How many of them were lodgers, or how many of them got liquor supplied to them in those hotels, I do not know.

3269. Is it a fact that the police in Glasgow put the law in force with perfect impartiality, whether the public-houses or hotels are concerned?—Perfectly so.

3270. Have you had any recent proceedings against any respectable hotels?—Within the last month there was one of the most respectable hotel keepers brought before the magistrates for entertaining people after 11 o'clock at night without having a special permission. The charge was found proven, and the magistrates inflicted a small fine of 1*l.* 5*s.* During last year (1876), 780 visits were made by the police to hotels, chiefly on Sundays, to see that the law was being observed by the keepers of these hotels, and the people frequenting them.

3271. What has been your experience of the effects of Sunday closing in Glasgow?—My experience of the effects of Sunday closing in Glasgow has been that there has been a wonderful change wrought upon the peace and quiet of the city since the public-houses were closed upon Sunday. It is a very rare thing to see people going drunk about the streets upon Sunday, from 6 o'clock in the morning until 12 o'clock at 6.50.

Dr. Cameron—continued.

Mr. McCall.

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night, whereas before those public-houses were shut up it was very common, and Sunday was perhaps the busiest day of the week in the police office.

3272. That was your own experience on the subject?—Yes.

3273. And that experience is, I understand, quite in accordance with that of other persons who have recorded their experience?—Quite.

3274. Such was the experience of your predecessor in office, was it not?—It was.

3275. Will you read to the Committee any brief extracts from his reports?—I have three reports here made by my predecessor. One made to the magistrates in September 1855, which was about a year and a half after the Forbes Maclean's Act came into operation; the next in 1856, and the next in 1858. The first one, especially, gives a narrative of how matters were before the Act came into operation, and after it was in operation for those 18 months, and it is as follows:—"In complying with the order to make up the subjoined returns, it may not be considered out of place to give a short history of the working of the public-house system in Glasgow for a few years back, to enable the magistrates to make a comparison between the working of the old and new Acts. In the first year after the passing of the Municipal Act" (that was in 1846), "the magistrates granted about 2,500 certificates to keepers of public-houses, many of the houses being very small rented, and the keepers of them very ill-qualified, for hundreds of them opened at the same hour on Sundays as on week mornings, and kept open till the last toll of the bell for Divine service, at 11 forenoon, when the customers were turned out to the street, many of them in a state of intoxication, and this while the people were passing to church. They again opened between 1 and 3 o'clock, and then from 3 to 12 at night their doors were kept standing open, and the publicans were seen with coat off, behind his counter, and his customers going out and in as publicly as on other evenings. From the then state of the law as to shutting their houses, every occasion was taken advantage of to keep open all night. A raffle, a wedding, or a dance was sufficient to keep a whole neighbourhood from sleep the greater part of the morning, and during the fair week, and new year week, many of them did not shut from Monday morning till next Sunday morning, and when so shut they had small openings in the doors for the purpose of handing out spirits, and every week morning some of them opened shop at half-past 4, and kept open till half-past 12 next morning. From the loose way in which the business was carried on, the streets of the lower part of the city were kept in a state of turmoil and disorder all Sunday morning, and frequently the entire day. Grievous complaints were made to the magistrates of this state of matters, by church-going people, and by parties who had the misfortune to live near these shops. The magistrates were so satisfied that these complaints were well-founded, that for several years before 1853, they granted certificates to all publicans on the express condition that no business was to be done on Sundays, and that all houses were to be shut by 11 at night, and not opened before 6 in the morning." I may state that these regulations which the magistrates made were upset by the Court of Session. A publican who had

Mr. McCaL.

Dr. Cameron—continued.

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had received a certificate with those conditions attached to it, appealed to the court of session, and it was found that the magistrates had no power to make such conditions. "These resolutions give a pretty good idea of the necessity that was felt to exist for an amendment and extension of the powers of the Act 9 George 4, commonly called Home Drummond's Act, before the recent Act 16 & 17 Vict. became law, on 16th August 1853. The Act passed in 1848, for regulating the sale of beer and other liquors on the Lord's Day, by which all public-houses were kept shut till after the forenoon service, no doubt effected a great improvement on the morning and forenoon of Sabbath, but the evil still continued on the afternoons, the magistrates having then no power to stop it. The new Act came into partial operation in October 1853, and at Whitsunday 1854, the whole trade were licensed under it, and the separation of the certificates into those of hotel keepers, publicans, and dealers; but it was not till Whitsunday 1855, that the trades of grocer and publican were separated. "An increase has taken place in the number of convictions" against unlicensed parties, "but the old law was defective, and very many of the parties fined under the new Act, carried on business under the old Act for years with impunity; for instance, Currie, McCaL, Davies, Grange, and a number of other well-known unlicensed dealers. The new Act has produced a degree of quiet and order on our streets on week-mornings, and, in particular, on Sabbath days, which must be apparent to all the citizens." That is the report of 1855. There is only a very small portion of the next report of 1856 which, I think, I need trouble the Committee with: "The same improvement in respect to order and decorum on our streets on the Sabbath day, mentioned in my first report, still continues; and on Saturday nights, by 12 o'clock, peace and good order is obtained, instead of, as formerly, a state of turmoil and disorder continuing the whole of Sabbath morning. In no place is the difference more observable than in the police offices, particularly in the central office, where Sunday used to be a busy day; but it is now perfectly quiet, and it is not unusual for a whole Sabbath to pass without a single case of any kind being brought in. The lieutenants are now at liberty to go to church, one clerk taking charge of both the detective and the lieutenant's departments, and the turnkeys have now little else to do on Sunday than read their Bibles. In 1849, when the first restriction was put on public-houses by the Beer Act, there were somewhere about 2,300 public-houses in Glasgow, and the number of persons brought before the magistrates on criminal charges was 5,020; while in 1856, with 1,773 public-houses, there were only 3,427. Again, in the same year, 1848-9, the average number of prisoners in the prisons of Glasgow was 717; while in 1856 the average had fallen to 484, and the drunk and disorderly, drunk and incapable, brawls, and disorderly cases of all kinds, disposed of by the magistrates and by the lieutenants of police, have decreased to a very large extent indeed. It is, no doubt, difficult to say how much of the decrease in crime, drunkenness, and disorder, is due to the working of the Act, as other circumstances have been in operation, which, without it, would have had a tendency to reduce

Dr. Cameron—continued.

the number of public-houses, and, with that, the consumption of spirits, and the number of police cases, as a matter of course. But I have no doubt that to the new Public-House Act we are wholly indebted for our comparatively quiet and orderly Sabbaths.

3276. What is the number of persons arrested for drunkenness, as drunk and incapable, or drunk and disorderly on Sundays as compared with other days of the week?—I have a return here which is headed "Copy Return furnished to the House of Commons in 1857, showing the number of cases of drunkenness in the city from the 1st of June 1851, to the 31st May 1857, distinguishing those on Sunday from those on other days of the week," that is three years before the Forbes Mackenzie Act came into operation, and three years afterwards. For the three years before the Act came into operation there were 64,998 people apprehended on charges of drunkenness during the week days of those three years, being an average of 71½ per day. On Sundays of the same three years there were 4,082 apprehended, being an average of 26 for Sunday.

3277. For three years after the passing of the Forbes Mackenzie Act, what were the numbers?—In the three years afterwards there were 53,775 people apprehended on the week days of those three years, being an average per day of 337, and there were 1,466 people apprehended upon the Sundays of those three years, being an average of 94, so that the Sunday average of the last three years is 8½, and the previous years 23.

3278. And does your subsequent experience lead you to believe that the proportion which you gave, as existing between Sunday and week day arrests after the passing of the Forbes Mackenzie Act, was the normal proportion or an exceptional proportion?—Normal for the period. But now I should say that the proportion is less of apprehensions on Sunday.

3279. Have you any figures upon the subject?—I have a return here showing the number of persons apprehended in the city of Glasgow charged with disorderly conduct, and for being drunk and incapable during the years 1872, 1875, 1874, 1876, and 1877, distinguishing those apprehended between the hours of 8 a.m. on Sunday and 8 a.m. on Mondays from those apprehended during the other days of the week. Under the heading of disorderly conduct in 1872 there were apprehended between the hours of 8 a.m. on Sunday and 8 a.m. on Monday an average of 20½. On the other days of the week, during 1872, the average was 68½. In 1873 the average on Sunday was 16, and the average on week-days 64½. In 1874 the average on Sunday was 16, and the average on other days, 65. In 1875 the average on Sunday was 20, and the average on week-days 75½. In 1876 the average was 16 on Sunday, and 69½ on other days; that is for disorderly conduct. There is another branch of this return, namely, for drunk and incapable. In the year 1872 the average of Sunday was 12, and 100 on other days. In 1873 the average on Sunday was 11½, and on other days 110. In 1874 the average on Sunday was 11, and on other days, 36. In 1875 the average on Sunday was 8, and on other days, 49½, and 1876 the average on Sunday was 9½, and on other days, 43.

3280. As to the number of police on duty in Glasgow, have you the full force employed on Sunday,

Dr. Cameron—continued.

Sunday, or only a portion of them?—From 5 o'clock on Sunday morning till 8 o'clock on Sunday night, there are only two-thirds of the men on duty as compared with other days of the week.

3281. Have these men much to do?—Comparatively nothing to do so far as drunkenness is concerned. They may have to keep children from annoying their neighbours and running about the churches and the like of that, but as far as apprehending people is concerned, there is little or nothing to do.

3282. Have you as many arrests for crimes in connection with Sunday as you have on week-days?—No.

3283. Does it accord with your experience that there is an increase of private drinking, or at all events of private drunkenness on Sundays in Glasgow?—I do not see any signs of it, and I believe it is not the case. If persons got drunk in their own houses there would be some disturbance calling the attention of the police to it.

3284. Previous to the passing of the Forbes Mackenzie Act, I believe there were complaints that the workmen employed on public works were not willing to resume work on Monday?—When the Royal Commission sat in Glasgow in 1859, there were a number of masters of works and foremen of works appeared before the Commissioners, and stated that previous to the Act coming into operation in 1854, they experienced very great difficulty with regard to their men returning to work on Monday mornings, but since the Act came into operation they had greatly improved; that was in the year 1859.

3285. You hear no complaints on that point now?—No.

3286. Do you find that the closing of public-houses on Sundays has increased the number of houses where drink is sold without a license?—The number of houses where drink is supposed to be sold illicitly in Glasgow at the present time, is not one-third of what they were at the time the Forbes Mackenzie Act came into operation. A return was made in 1858 showing the number of places known to the police where excisable liquors were sold without a license, and they numbered 327. I made a census of the same sort within the last fortnight, of places where the police suspect that excisable liquors are sold without a license, and there are 122 of such places returned.

3287. Have you any statistics as to the number of illicit houses or suspected illicit houses at the time of the passing of the Forbes Mackenzie Act in 1853, or previously to that?—No, but from the evidence which was given to the Royal Commission to which I have referred to, there were at all events as many as in the return of 1858.

3288. I presume that the decrease in the number has arisen, to a large extent, from the police exercising extra vigour in their suppression?—Yes. Until the Act of 1862 was passed, the powers of the police were defective under the Forbes Mackenzie Act. It was doubtful whether the police had reason to suppose that a place where they had reason to suppose that liquors were being sold without a license. The Act authorised the police to enter any public-house or any house where refreshments are sold to be consumed on the premises. It was

Dr. Cameron—continued.

thought that this word refreshment did not apply to liquor merely being sold, therefore the police had very great difficulty in suppressing those places until 1862.

3289. I understand that now you have got still more potent powers for the suppression of these places put into your hands in the Glasgow Police Act?—The Act of the 25th & 26th of Victoria extended the powers of the police. It authorises the police to enter eating-houses, toll-houses, temperance hotels, shop, or place, any boat or vessel where food or drink of any kind is sold to be consumed on the premises.

Mr. O'Shaughnessy.

3290. What are toll-houses?—Where the toll is collected at a turnpike gate. At one time the toll-houses were licensed as public-houses very frequently, but that was abolished by that Act. No toll-keeper could have a license. That Act, of course, gave the police considerably more power to deal with such places, and the consequence was that, to a great extent, they were suppressed. In fact, there is not a case in Glasgow of selling liquor without a license just now of the description that existed between 1853 and 1858. What was then termed a shebeen was in all probability what had been a public-house and the license taken away from it, and the keeper of it continued to sell liquor without a license. I have gone in myself to places of that sort where you would have found it filled up with barrels and measures and everything like a public-house, and perhaps 30 or 40 people sitting drinking and smoking, and it was thought that unless the police could prove that money had been received for the liquor that had been supplied, it was not sufficient to prove a case against the shebeen keeper. But by the Act of 1862, the 25 & 26 Vict. c. 35, s. 19, it is sufficient to prove a case of the sort if it is repeated a shebeen, and if persons are found in it drunk or drinking.

Dr. Cameron.

3291. In addition to that you have got power under the Glasgow Police Act, have you not?—Under the Glasgow Police Act there is a more powerful clause than even that in, and which I have within the last five years required to put into operation to suppress three of the most flagrant shebeen houses. In the Glasgow Police Act of 1866, by section 135, "The magistrate may, on a complaint by the procurator fiscal, grant warrant to enter into and search from time to time, during any period not exceeding 30 days from the date of such warrant, any building or part of a building, or other place, which, upon personally examining, the chief constable or a superintendent or lieutenant, and at least one other person not holding any office or situation under this Act, the magistrate is satisfied there is reasonable ground for believing to be kept or managed, or to be ordinarily used, or suffered to be used for any of the purposes hereinafter mentioned; and it shall be lawful for any constable to take into custody and convey to the police office, in order to be brought before the magistrate, all persons found in such building or part of a building or place, and to seize, impound, and convey to the police office, any article or thing therein calculated to prove that the said building or part of a building, or other place, has been ordinarily, or was, at or shortly before the date

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Mr. McCail.

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of such entry, used for any of such purposes, namely: "For the purpose of retailing or selling, or of keeping for sale, wines, spirits, beer, cider, or other fermented or distilled liquors without a license." There are a number of other cases enumerated besides that.

Mr. O'Shaughnessy.

3292. What are the other cases?—For the purpose of stage plays or dramatic entertainments, into which admission may ordinarily be obtained for the payment of money, and which is not a licensed theatre or a place authorised in terms of law to be used for that purpose. For the purpose of fighting, betting, or worrying any animal. For the purpose of playing at any unlawful game." The same clause extends to brothels, with the modification that only the manager or person assisting in the management of a brothel can be taken into custody. I might give just two cases in illustration of the effect that this clause to which I have referred has produced upon the shebeens. There was a man of the name of Andrew Donnelly, who had a pie and pastry shop in London-street, Glasgow, and it was suspected that he was doing some business in the way of selling excisable liquors without a license, and he was fined, on the 23rd April 1870, under the Public-house Act, in 30*l*. On 26th August he was fined again in 30*l*, and on 21st November he was fined in 30*l*, and still he continued to carry on.

Mr. Lenn.

3293. Did he pay the fine?—Yes; I got a warrant under this clause in the Police Act, and on Sunday, the 11th December 1870, I sent an officer with a very considerable squad of police to his house, about 9 o'clock at night, and took into custody about 80 people, and took them to the police office, Donnelly as well, and looked up at once 54; and these people were brought before the magistrate the following day and fined in a guinea or 14 days' imprisonment. Donnelly himself was sentenced to 30 days' imprisonment, and bound over to keep the peace for 12 months, or to suffer 30 days' longer imprisonment. That abolished Mr. Donnelly's place altogether, for it became known all over the city, and people would not go into it, and thereafter he left. On the same day, earlier in the day, another man, having a place of a similar sort in the Tenango, was visited, and there were 42 people taken out of his place, and brought before the magistrates the next day and fined in a guinea or 14 days, and the keeper in 10*l* or 60 days. In another case, in the Salt Market, there were 16 persons taken out there, and the keeper was fined in 10*l*, or 60 days. The whole thing collapsed after that, and since then I have had no trouble with any place of the sort.

Dr. Cameron.

3294. What is the provision for the punishment of persons found drinking in shebeens, or persons respecting themselves as *bona fide* travellers?—The fine for a person representing himself as a *bona fide* traveller is 5*l*, but the magistrates in Glasgow have never hitherto inflicted a higher penalty than 10*l*.

3295. And how much for persons found drinking in illicit houses?—The fine is 10*l*, or 10 days'

Dr. Cameron—continued.

imprisonment for any person found drunk or drinking in a shebeen.

3296. You spoke, I think, of some of the persons you caught in one of those shebeens having been sent to prison for 14 days?—The sentence was a guinea or 14 days, but they all paid the guinea but one, I think.

3297. How were they fined a guinea or 14 days?—The penalty under the Police Act is 40*l*, or 14 days.

3298. Between the powers conferred under the general Acts and the Police Act, you have no difficulty in Glasgow in dealing with shebeens?—None.

3299. You do not find it necessary, I understand, except in very exceptional cases, to employ policemen in plain clothes for the purposes of detection?—About three years ago the superintendents reported to me that they had some difficulty with a few of them, by reason of the number of spies that the people kept about the place in the men in uniform getting into those houses so as to get proof of the traffic. In May 1873 I brought the matter before the magistrates of Glasgow, and they authorised me to issue instructions that men in plain clothes might be used in those exceptional cases, but the superintendent was required to report to me the reason why those measures were used. Perhaps I might read the instructions which I gave to them. It is dated the 3rd of May 1873. "Shebeens.—It has been found that the suppression of some of these is almost an impossibility with constables in uniform clothing. I have therefore determined that other necessary means to enforce and vindicate the law will be resorted to, to put an end to these plague spots. I will therefore sanction the use of members of the force in plain clothing to obtain evidence of illicit traffic, provided you report to me the name of the shebeen keeper, and that the ordinary means of constables in uniform clothing is insufficient to meet the necessities of the case. The men for the duty may require to be drafted from other districts. They will always be men of experience and established good character, and will under no circumstances make use of false representations to obtain evidence. A written report of any such case will be sent to me before the person complained upon is apprehended or summoned." I do not think that since that I have had above a dozen applications from the superintendents for permission.

3300. How many convictions have you obtained recently against the keepers of illicit houses?—This is a return, showing the number of persons convicted of shebeening, and hawking spirits during the years 1857 to 1876. In 1857 there were 223 such convictions; in 1858 there were 89; in 1859, none; in 1860, one; in 1861, five; in 1862, 157; in 1863, 132; in 1864, 166; in 1865, 225; in 1866, 160; in 1867, 94; in 1868, 103; in 1869, 126; in 1870, 163; in 1871, 186; in 1872, 126; in 1873, 95; in 1874, 106; in 1875, 138; and in 1876, 131. 25 persons have been convicted for the second time, and seven the third time during the last three years.

3301. In Glasgow there are a great number of buildings let in houses of single rooms or two rooms, are there not?—Yes.

3302. Therefore there are great facilities for shebeening being carried on in Glasgow?—That operates in two ways. Perhaps it is a disadvantage



Dr. Cameron—continued.

tage to some of them to have neighbours as close to them, for if they are respectable people though poor they may complain to the police, but if it is a small house, or a building entirely occupied by what you may call the vicious classes, then it gives them facilities for shebeening.

3303. I ask you that question, because it was given in evidence that in the case of Dublin, the existence of houses tenanted by a number of different families rendered it in many cases very difficult to put an end to illicit traffic?—If they were all of the same class it would add to the difficulty, but if there was a sprinkling of respectable people along with them, it would increase the likelihood of their being tripped up.

3304. On Sundays, besides the sale of liquor by hotel keepers, are sales permitted on board some of the steamers?—Yes, the magistrates have no control over that matter apparently.

3305. It has been the cause of great annoyance to the people of Glasgow, I understand?—It has, not only to the people of Glasgow, but to those residing in the small towns on the coast.

3306. Are not a great number of drunken people disembarked from the Sunday steamers almost every Sunday?—Yes, every Sunday there are two steamers leave Glasgow during the summer months in the morning, and return about six or from that to nine o'clock at night, and sometimes the signs of drunkenness and disorder are very great.

3307. So had were they, I understand, that the police recently got the harbour authorities to allow the Sunday steamers to berth nearer to the police office?—Yes; I have had to send on some Sundays as many as 50 men to reinforce the Marine division for that reason.

3308. And notwithstanding that fact the figures which you have quoted show a very great diminution in the number of arrests for drunkenness on Sundays?—They do.

3309. If those Sunday steamers were done away with, I suppose those figures would be still less?—It would lessen the number, of course.

3310. The Chief Secretary of Ireland, who is a Member of this Committee, asked one of the Scotch witnesses for some explanation regarding the apparent discrepancy between the figures given in the Return presented to the House on the motion of Mr. Barclay, and the figures contained in the Return of the Inland Revenue, you, I think, have looked into the matter, will you explain the apparent discrepancy?—In the letter of explanation which I sent to Dr. Cameron it is stated, "The discrepancies you refer to between the Inland Revenue Return for 1876, and Mr. Barclay's for 1872, are, I think, reconcilable, and both are reliable. If you sum up the first four totals in Mr. Barclay's Return, page 32, for consumption on the premises, leaving out the total of licenses granted to grocers for consumption off the premises, you will find the number of licenses granted to publicans for Scotland, is 11,382. Then in the Inland Revenue Return, table No. 9, in column headed Scotland, if you sum up the numbers of publicans bracketed, you will find the retailers of beer 388, the retailers of spirits, 11,399; occasional licenses, 1,859; and wine licenses, 5,900; total, 20,550. From this number must be subtracted the occasional licenses and the wine licenses, the latter being an excise duty levied under a different Act from the duties exigible for spirits, 9,539.

Dr. Cameron—continued.

porter, &c., leaving a total of 12,487 licenses granted to publicans. Now I think the increase in licenses granted since the year 1872, to which Mr. Barclay's Return applies, would very probably amount to the difference between 11,382 and 12,487."

3311. You have, I think, some figures showing the number of persons convicted for being found in shebeens from the year 1862 to 1876?—The return is headed: "Return showing the number of persons convicted for being found in shebeens during the years 1862 to 1876." In 1862 the number was 6; in 1863, 77; in 1864, 30; in 1865, 3; in 1866, 9; in 1867, 89; in 1868, 276; in 1869, 392; in 1870, 565; in 1871, 445; in 1872, 170; in 1873, 95; in 1874, 101; in 1875, 65; and in 1876, 49.

3312. Those figures, of course, include the persons arrested or convicted of that offence on week-days as well as Sundays?—Yes.

3313. You have also some figures concerning the number of persons convicted for falsely representing themselves to hotel-keepers as travellers?—Yes; I have a return showing the number of persons convicted for falsely representing themselves to hotel-keepers as travellers, during the years 1864 to 1876, by which it appears that in the year 1864 the number was 9; in 1865, 41; in 1866, 37; in 1867, 34; in 1868, 13; in 1869, 2; in 1870, 17; in 1871, 32; in 1872, 43; in 1873, 72; in 1874, 95; in 1875, 69; and in 1876, 63.

3314. Several witnesses have given it as their opinion that if the public-houses were closed on Sunday in Ireland a number of drinking clubs would be established by the workmen, have you found that to be so in Glasgow?—I would expect, for the first three or four years of the existence of a similar law in Ireland to what applies to Scotland, that there would be something of that sort, but if they had the same powers as we have got in Glasgow, between the Police Act and the Public-houses Act, I would not fear the least but that they would suppress them before long. When the Forbes Macdonald Act first came into operation, of course those publicans who were thrown out of license, and the criminal and vicious classes of Glasgow combined to nullify the effects of that as much as possible, and it took very persistent exertions on the part of the police to put them under control.

3315. How many clubs are there in Glasgow?—There are ten clubs altogether in Glasgow.

3316. With a large membership?—I suppose they might average about a couple of hundred each.

3317. Those are all *bona fide* clubs?—Yes.

3318. And not got up for drinking purposes?—No. They are clubs frequented by what you might term, one of them, at all events, by the upper classes, and the rest of them by what you may call the upper middle class.

3319. Are there no working men's clubs?—None.

3320. There are some workmen's clubs in Glasgow, but they are temperance, I believe?—Yes, they are temperance.

3321. We have also had it expressed as the opinion of some of the witnesses that if persons could not get drink in public-houses on Sunday they would resort to brothels where in general drink is procurable; what is your experience upon that point?—So far as Glasgow is concerned

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cerned there are only 38 brothels in it altogether. In 1849 there were 211 brothels in Glasgow, and every one of them sold liquor without a license. In 1874 there were 304, and the authorities and the police have since then been doing everything they can to suppress those places, and the result is that there were only 38 in 1876. To show you the character and extent of those houses, the average rent of the 38 houses is 7*l.* 1*s.* 6*d.*

3322. Previously the average was what?—In 1870 there were 304, and the average rent was 8*l.* 12*s.* 8*d.*; in 1871 the number was 79, and the average rent was 8*l.* 15*s.* 4*d.*; in 1872 there were 50, and the average rent was 9*l.* 12*s.* 10*d.*; in 1873 there were 30, and the average rent was 10*l.* 2*s.* 3*d.*; in 1874 there were 24, and the average rent was 10*l.*; in 1875 there were 40, and the average rent was 7*l.* 5*s.* 6*d.*; and in 1876 there were 38, and the average rent was 7*l.* 1*s.* 6*d.*

3323. Have you some statistics regarding the number of publicans and grocers resident on their premises in Glasgow?—Yes. In Glasgow, at the present time, there are six persons holding public-house licenses who live on the premises.

3324. Only six out of 1,500 public-houses?—Yes; and three holding grocers' licenses.

3325. So that, practically, you may say that neither the publicans nor the grocers live on the premises?—No; and for years past the magistrates have refused to grant licenses upon any condition except they must live apart from their place of business. Those six I have no doubt are houses that have been a great many years in the occupation of the same individual and not interfered with.

3326. We have been told a great deal about the grocers in Ireland selling for consumption on the premises, have you much of that sort of thing in Glasgow?—No, very little, I might almost say none.

3327. Have you any instances at all of grocers selling on Sunday?—No, there has not been such a thing for years.

3328. Previous to 1853 did the grocers sell liquor on Sunday?—There was no distinction of that sort; there was only one class of certificate; it was a common inn or alehouse or victualling house; it was the Act of 1853 made the distinction, the publican, and the hotel keeper, and the grocer.

3329. With regard to the stringency of the instructions to the Glasgow police for the arrest of drunken persons, are you particular about arresting persons when they are drunk?—We are very strict, I think more so, than in almost any large city that I am aware of.

3330. You do not wait until a man is lying in the gutter?—No, not at all; if a man is going along the street evidently incapable of taking care of himself, he is taken into custody and lodged in the police office.

3331. And he is there kept until dismissed by the magistrates?—Yes. I have a return which perhaps the Committee would desire to have, showing the number of persons arrested in the city of Glasgow, charged with crimes and offences from 12 a.m. till 12 p.m. on the Sunday of the fair week in the year 1869 to 1876, together with the numbers on the three preceding and three following days.

Dr. Cameron—continued.

3332. Before giving those figures would you explain to the Committee what the Glasgow Fair is?—The Glasgow Fair is just a week's holiday for the working men, the works are all thrown out of work, and the working man has nothing to do but go about and enjoy himself. It is perhaps the busiest week, so far as the police are concerned, in the year. In the year 1869, on the Sunday of the fair week, there were 163 persons apprehended, and the average on the other six days of the week was 274. In 1870, the Sunday of the fair week, there were 169 apprehended, and the average of the other days of the week was 319. On the Sunday of the fair week of 1871 there were 79 apprehended, the average of the other days being 293. In 1872, on the Sunday, there were 165 apprehended, the average of the other days being 292. In 1873 there were apprehended on the Sunday 76, the average of the other days being 297. In 1874 there were apprehended on the Sunday 106, the average on the other days being 385. In 1875 there were 72 apprehended on the Sunday, and the average on the other days was 214. In 1876 there were 73 apprehended on the Sunday, and the average on the other days was 205.

Mr. Laid.

3333. What is the total population of Glasgow?—The population at the present time is estimated to be 345,000; at the census of 1871 the population was 490,449, increasing at the rate of about 9,000 to 10,000 per annum.

3334. What is the total number of your police force?—The gross strength of the police force is 1,001, but that, as I said before, includes surgeons, turnkeys, female turnkeys, powder magazine keepers, tailors, lamp-trimmers, and messengers. The effective strength for doing the work which we are now considering is 900.

3335. I think you told Dr. Cameron that the number employed on Sunday was about two-thirds of that?—No; the force is divided into two portions, about equal, say 440; 440 are on night duty, going upon duty at eight o'clock, and remaining on until five in the morning; those men get one night in 21 leave of absence, but it does not necessarily follow that it is upon the Sunday they get it, as it is spread over three weeks. Then the 440 left for day duty, began work at five o'clock in the morning, and finish at eight o'clock at night. One-third of those 440 are off duty every Sunday as a church party; that leaves about 280 on duty on Sundays in Glasgow in the whole of the city from five o'clock in the morning until eight o'clock at night; but only one half of the 280 is on duty at one time between 5 a.m. and 5 p.m. From 5 p.m. till 8 p.m. the whole 280 are on the streets.

3336. Then they are replaced by, I suppose, about an equal number for the rest of the night?—They are replaced by 440, by the full strength excepting, perhaps, there might be 20 off on Sunday night, of the men who are entitled to the one day in 21.

3337. What extent of range has each of those men?—That depends upon circumstances, both in regard to the density of the population, the quality of the population, and also upon the value of the property upon the beat.

3338. Could you give us approximately a statement

Mr. LAW—continued.

statement of how the city is divided in point of density of population, and the class of population; is there any particular part of the city where the working people, and the higher or lower classes are gathered together?—In the centre of the city previous to 1870 there was a population of 1,000 per acre in about 40 acres of ground.

3339. What class were they?—About 88 acres of the centre of the city had a population of 583 to the acre; the proportion to the acreage of Glasgow, all over, is 58·6 to the acre; in Dublin it is 31·3 for the whole of the city.

3340. Can you tell the Committee what is the class of population occupying that 40 acres in the centre of the city?—It was the lowest working class population; to a great extent the Irish population of the city.

3341. Are there many public-houses in that space of 40 acres?—Yes, there was a large number of public-houses in that acreage.

3342. Have you the number or the proportion that they were to the whole; are they more or less in proportion?—There is one licensed house to 385 of the population of Glasgow in the whole city.

3343. How many are there to the population in that 40 acres?—I could not say.

3344. Are they fewer in proportion or greater in number?—I would say that there would be more public-houses to the population in the low quarter of the city; considerably so.

3345. Do you require a greater number of police for dealing with that 40 acres?—The police force is much stronger in those parts than over the other parts of the city.

3346. In what proportion?—I should say that in some places in the city there might be about one man to four.

3347. You mean that there are four times as many employed in the 40 acres as in the outskirts?—Yes, that is so; about the west end a man may have a mile, whereas another one may not have 300 yards of a beat.

3348. What is the total area over which your police force is obliged to watch?—Nine and a half square miles, or 5,033 acres. There are 162 miles of streets in the city to be patrolled.

3349. I presume the nine and a half square miles is Glasgow proper; are the municipal boundary and the police boundary the same?—That includes the whole municipal boundary, all under the jurisdiction of the magistrates of Glasgow.

3350. Does it run out into the country at all?—Some of the outskirts are kind of semi-rural; but not much of it.

3351. It does not extend over a number of outlying townships like the Dublin Metropolitan Police District?—No. There are eight small burghs clustering round Glasgow. When you go out of Glasgow into them you do not know when you are out of one into the other. There are separate jurisdictions and separate police; there are eight police burghs and two counties bordering upon Glasgow, so that there are 10 different jurisdictions clustered round Glasgow; and when you leave Glasgow to go into those other jurisdictions a stranger would not know when he was out of one and into another. In fact you might have your heels in Glasgow and your toes in those other places.

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Chairman.

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3352. Before you leave the question of the number of the police force in Glasgow, I see in the last report of constabulary for Scotland for the year ending the 15th of March 1876, the total force in Glasgow is put down at 8,577—Yes; but if you observe there is the marine division, 70, which is not included in that return; that is what the Government pays for.

3353. What are the duties of the marine division?—Looking after the harbour of Glasgow.

Mr. LAW.

3354. Are they under your charge?—Yes, they are under my charge; they are entirely kept for harbour and river duty, and the Government does not pay any portion of their pay.

3355. Do they do any duty in connection with the liquor trade?—No, there is no licensed place in their jurisdiction.

3356. The number of police that are concerned with the liquor trade in Glasgow should be reduced to what appears in this return, 880?—Eight hundred and eighty would represent the city police.

3357. That is the effective force for the purpose of looking after the liquor trade traffic?—Yes.

3358. Was there much difficulty experienced by the police immediately after the passing of the Forth MacKenzie Act in 1853?—There was very great difficulty. In the first place the Forth MacKenzie Act was defective in a very important point; there was no public officer appointed to enforce that Act. The procurator fiscal, who conducts all prosecutions in Scotland before the courts, had no other position than that of common informer, and the consequence was that there were appeals taken from some of the decisions and actions for damages raised against him, which made it a very hazardous thing for him to put the law in force. So that in 1853, at the time the Royal Commission met, the operation of the Act was almost entirely suspended, firstly, because there was no procurator fiscal appointed by the Act; secondly, that it was thought that the police must prove the actual sale; and thirdly, their power to enter those shebeens was considered doubtful. Those defects were remedied by the Act of 1862.

3359. Since 1862, when you got sufficient means and power to cope with it, has there been any considerable difficulty?—No.

3360. Was there any disturbance in Glasgow in 1853 or 1854 in the lower part of the town, in consequence of the houses being closed?—None whatever. I saw that a previous witness, Mr. Nicholson, did mention, I think, in evidence that there was some rumour of that sort, that there was a possibility of a disturbance when the Act came into operation; but I do not from recollection mind that there was any apprehension of that sort in Glasgow. I have turned up the records in my office to see if there was any extraordinary arrangement made upon the occasion, and I have found none.

3361. You have been in the office, I believe, since before the Act was passed?—Yes, since before the Act passed. There are some portions of the Report of the Royal Commission which, it strikes me, it would be well for your Committee to hear, who reported after having heard the evidence over Scotland.

3362. Will you refer us to the numbers of the pages,

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pages, and state generally what they said?—There is a portion here, with regard to the improvement in the habits of the people, that has arisen from the operation of the Act. It is at page 10 in this book.

3363. Does it refer to the improvement in the habits of the people, consequent upon the closing of the houses on Sundays?—Yes. On page 12 it gives the beneficial operation of recent legislation, which applies to the Act of 1853. Then, at page 21 it gives their opinion upon the Sunday closing and of the benefits arising from it.

3364. What benefits does it say arise from the Sunday closing?—"Evidence was adduced to us from all classes of persons of the benefits which have arisen from a return to the former practice on this subject. That is the common law of Scotland, that no person should follow their ordinary occupation upon Sunday. This improvement in large towns has been most remarkable. Whereas formerly, on Sunday mornings, numbers of persons, in every stage of intoxication, were seen issuing from the public-houses, to the great annoyance of the respectable portion of the population on their way to church; the streets are now quiet and orderly, and few cases of drunkenness are seen." Then it goes on afterwards to recommend the appointing of the procurator fiscal as the prosecutor.

3365. That is to say, to give some one person charge of the prosecution?—Yes.

3366. I think you told the honourable Member for Glasgow that you saw no sign of increased drunkenness from private drinking, in consequence of closing the houses on Sundays?—I see none; on the contrary, I think that there is less of that now than existed about the time when the Forbes Mackenzie Act came into operation.

3367. Is there much excursion traffic out of Glasgow by the railroad, or better working classes?—There is very little of that out of Glasgow. There are very few vehicles leave Glasgow with people going out.

3368. Do the working people or others walk out into the country to the neighbouring villages?—If they leave the city at all it is walking principally.

3369. Do numbers of them walk out?—I have no doubt that a large number on Sundays, in the summer time, when the weather is good, go out for a walk a few miles and back again, but there is no place of amusement for them to go to, as it were; there are no strawberry beds, or any place like that.

3370. What is the nearest place to Glasgow after you leave the city proper, where a person walking would get refreshments as a *bona fide* traveller?—Renfrew, which is a small town about 5½ miles from Glasgow, is the nearest place where an hotel is to be found.

3371. And it is the hotels alone that are open on Sunday for that purpose in Scotland?—Yes.

3372. Then is there no place after a working man leaves Glasgow until he comes to this town, where he can get drink at all?—He cannot have it legally by purchase.

3373. Have you ever heard of any shebeening, as we have been calling it, in that area round Glasgow?—I have heard from officers having the charge of the district, that there is to some extent a little of that upon the Sundays in the villages round about Glasgow, but not much.

3374. Is there less or more than there was

Mr. Law—continued.

before the Forbes Mackenzie Act was passed?—As far as Glasgow is concerned it is much less. I cannot speak of the villages. I have here a very elaborate return, headed "Return showing the number of persons apprehended or taken into custody during the years from 1852 to 1876, both inclusive," that is to say, the total apprehensions that have taken place in Glasgow for all crimes and police offences from 1852 to 1876.

3375. What was the number in 1852?—The number in 1852 was 51,876; the number in 1876 was 45,382. The population in 1851 was 344,928, and in 1876 it was 545,000.

Mr. Maurice Brooks.

3376. Have you any returns for the years previous to 1853, similar to those which you have produced, referring to the arrests since 1852?—No, the police statistics previous to that time were not kept in the same orderly way as they have for a number of years. In fact, the Royal Commission in 1859, made a statement to that effect in their report, that the police statistics were not tabulated in such a way as to make them intelligible or easily understood or reliable.

3377. Do you think that the fact which we have had given in evidence as to the suppression of an enormous number of brothels in Glasgow has contributed to the diminution in the number of arrests for drunkenness on Sunday?—I would say so, considerably.

3378. Have the advantages of Sunday closing in Glasgow manifested themselves by any increase of reading rooms, or places of wholesome recreation on Sunday?—I think there are more reading rooms in Glasgow now than there were in 1863.

3379. Are they open on Sunday?—Yes; they are open on Sunday.

3380. Have those places increased since the passing of the Forbes Mackenzie Act?—I think the reading rooms in Glasgow, open on Sunday, have increased.

3381. But you have no returns upon that subject?—No.

3382. Have the number of coffee-shops and places where people can obtain coffee or tea increased?—What are termed eating-houses have considerably decreased; on one Sunday in February 1857, there were open 105 eating-houses; on Sunday the 4th of June 1876, there were only 23 of such houses open.

Chairman.

3383. To what do you attribute that decrease?—I do not very well know how to account for it, unless it is that people are now taking their food more at home on Sunday than they used to do in 1857. The consumption of whisky has been very considerably diminished on Sunday, and those who complain of not being able to get food on Sunday do not seem to be upon the income, so far as necessary food is concerned, cooked food, for the facilities for getting it are diminished.

Mr. Maurice Brooks.

3384. What evidence have you that the consumption of whisky in Scotland has decreased of late years?—I say on Sunday, in Glasgow.

3385. On the whole, in Scotland, has the consumption of whisky increased or decreased?—I suppose the consumption of whisky has increased.

3386. Notwithstanding

Mr. Maurice Brooks—continued.

3386. Notwithstanding the closing on Sundays?—Yes; that has been from the condition of the working population that they are consuming spirits or beer almost daily, whereas, previous to 1853, a working man was only able to get it, on the Saturday night after he got his pay. The working classes have much more money thrown into their hands now than they had then; their condition is improved in that respect considerably, and I have no doubt there is more whisky being consumed per head now than there was 20 or 25 years ago.

Chairman.

3387. On what do you base your opinion that the consumption of whisky in Glasgow has decreased on Sunday?—From personal observation, and the returns of persons taken up drunk and disorderly on the Sundays now compared with what was the case before the Forbes Mackenzie Act came into operation.

Mr. Maurice Brooks.

3388. The persons who are arrested now on Sunday, and you have an enormous number arrested on Sunday, are chiefly arrested, I suppose, on their way from the public-houses to their homes?—No, there are very few apprehended upon Sunday. If you were to take Sunday, beginning at eight o'clock in morning for instance, or at six o'clock in the morning, and take it from that to 12 o'clock at night, there are very few people apprehended on Sunday during those hours. Between 12 o'clock on Saturday night and six o'clock on Sunday morning, a considerable number are taken up, but those are people that have got drunk upon the Saturday night, before the public-houses were closed, and, perhaps, have taken spirits home with them, and not being satisfied with the quantity they had before they left the public-house, they begin to drink more, and then fall into the hands of the police.

3389. The number of arrests before the closing of the public-houses on Sunday, in 1854, amount on the average to 25, I think you said?—Yes, the average number of arrests for the three years previous to the Forbes Mackenzie Act coming into operation upon the Sunday, was 26; that is to say, from June 1851 to May 1854, the average number arrested upon Sunday was 26. Three years after the Act came into force, namely, from the 1st of June 1854 to the 31st of May 1857, the average arrests upon Sunday was nine and a-half. Nine and a-half arrested out of a population of 400,000 would not be much seen over an area of nine and a-half miles. It is only one person to a mile over the 24 hours.

3390. Then it was less than three to the mile before?—It was nearly three times as many before the Forbes Mackenzie Act; nine and a-half arrests over an area of that extent, out of a population of the amount that I have stated is not much.

3391. The description of Glasgow on Sunday before the passing of the Act was as you gave it, I think, that a large number of persons were seen rolling about the streets drunk on Sunday morning?—It was pandemonium compared with an orderly and well-observed Sabbath day.

3392. The number of arrests under those circumstances would be only 15 more than at the present hour. Yes; but at that time the police 059.

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were not nearly so strict in clearing the streets of such characters as they are now.

3393. I have no doubt that the police supervision under your own care is everything that could be desired?—It is not that. Those matters were not viewed in the same way then as they are now. One knows that the public-house trade went on at all hours of the night and day, and drunkenness was looked upon as quite a normal condition; whereas now it is not. It is looked upon as abnormal, and as a thing which should be suppressed and put down.

3394. Do you not think that by example and persuasion you may effect a reform in the habits of the people almost as effectually as that which you compel by police compulsion?—I would like to have power, in the first place, to compel them, and have it in reserve to teach them.

3395. You speak yourself of the great and favourable change in public opinion since 1853, and that it has led to the suppression in a great degree of drunkenness?—I believe that the change of public opinion has conducted considerably to the improved habits of the lower orders of Glasgow, and I think that the feeling is increasing yearly, that to be seen drunk is somewhat disgraceful, and, so far as the middle and the upper classes are concerned, that is thoroughly the opinion. That feeling has not reached down to the lower classes, perhaps, to any great extent yet, but I think it is gradually doing so.

3396. With regard to the steamers on Sunday, how many of the arrests, do you think, may be charged fairly to their influence?—I find between the 11th April and 15th August 1873, the following number of persons were taken into custody on leaving the Sunday steamers, viz.: two men for assault, 16 for disorderly conduct, and 19 for being drunk and incapable; total, 37. Then, last year, between 28th May and 15th August there were taken into custody on Sundays from these steamers, two men for assault, two for disorderly conduct, and four for being drunk and incapable; total, eight.

3397. Referring to the hostility of the people of Glasgow to these steamers, do you refer that to a desire on the part of your people to promote the religious observance of Sunday or to promote temperance; supposing that on these steamers no spirits or refreshments were sold, would there be an hostility on the part of your people?—I think that the opinion of the Scotch people is that the Sabbath day should be devoted to other things than sailing in steamboats or driving about in machines for pleasure.

3398. And your people would think that the reading of novels, works of fiction, and newspapers was almost wicked in itself?—I believe they would say that they would be better reading the Bible than reading a novel.

3399. Is it the opinion of the people of Scotland that reading newspapers and novels on Sunday is in itself sinful?—I have no doubt that there are people who believe so; a large number of people believe that.

3400. The same persons who are opposed to the opening of places of recreation?—The very best members of the community. I believe a large number of them would entertain those opinions.

3401. You have referred to the Strawberry Beds in Dublin, and therefore I apprehend that

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you have yourself consulted the opinions of Dublin and the Irish people?—I was only once in Dublin. I went there upon a Saturday afternoon, and I left, I think, upon the Monday, if I am not mistaken, or upon the Sunday afternoon; I am not very sure which; I think it was the Sunday afternoon. I went down to Belfast by railway.

3402. Probably you will kindly give us your opinion of the habits and feelings of the 76,000 Irish people who live in Glasgow; have they the same religious opinions upon the observance of Sunday such as the Scotch people have?—The Roman Catholic portion of that 76,000 I think in the afternoon of Sunday will perhaps use it somewhat differently from what the Protestant portion of the 76,000 would do. The Protestant Sunday extends from 12 o'clock on Saturday night to 12 o'clock on Sunday night, but I think that there is a pretty prevalent feeling that Sunday is to a considerable extent over about noon by those who attend the Roman Catholic churches, at least that the hours of public worship are over by that time.

3403. Would you extend to those persons who have no religious scruples as to excursions and as to reading light literature the same law as the Presbyterians would themselves endure?—I cannot presume to suggest legislation upon that subject.

3404. Do you know that Catholics are of opinion that dancing on Sunday, after Divine worship, is not religious?—I am not aware of that.

3405. Or that music or embroidery, and work not of a servile nature, is not forbidden either as matters of discipline or as matters of religious practice?—No; I have no information, either from personal observation or contact with the Roman Catholic population of Glasgow, whether those feelings exist or not.

3406. Have you ever been on the Continent?—No; I have been in America, but not on the Continent.

3407. With regard to the Irish of Glasgow, have you formed any opinion upon their willingness or their reluctance to submit to the Sabbath observances of Presbyterians?—They are very greatly in the minority in Glasgow, and they are the very poorest of the community; so that I do not think that is very much matters, as it were, what their opinion in that respect might be; it would not have much force.

3408. Have they the opportunities of making the public opinion of that 76,000 persons known?—I should think so, as much as any other portion of the community; but the wealthier portion of the community, I have no doubt, has a better means of making their opinions known than what the poorer portion of the community has.

3409. But they have not protested, in any way, that you are aware of, against closing public-houses on a Sunday?—No; and I am persuaded that, if there was any attempt made to abolish the existing Act for the regulation of the public-houses in Scotland, so far as Glasgow is concerned, it would never be thought of or tolerated. The opinion of Glasgow is that this Act has done an immense deal of good, and that to speak of repealing it or altering it, so as to give liberty for drinking on Sunday, the people of Glasgow would not submit to it for a single minute. Even the lower portion of the population, I think, are

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likely to be of opinion that the closing up of public-houses on Sunday has conducted to their good.

3410. Would the people of Glasgow demand to the practice by Irish Roman Catholics of dancing which they would call innocent, or cricket which they would call innocent, after they had been to divine worship, or would the Presbyterians look upon that conduct in public as riotous and disorderly?—I believe they would complain if any portion of the community were to open dancing saloons.

3411. I mean if the people were to dance in fields on a Sunday?—I believe they would look upon that as very far wrong, and if possible that conduct of that sort should be suppressed.

3412. As wicked and sinful?—As disorderly, and inconsistent with the sanctity of the Sabbath day.

3413. Do you know if it is the practice of the Irish people to engage in amusements from which Presbyterians refrain in Glasgow?—No, I cannot say so. I do not know it; they conform to the law in those respects about as much as the Protestant portion of the community does.

3414. I understood you to say that on Sunday there entered 34 hotels between 6 and 8 o'clock, or a quarter of the whole day, where drink is permitted to be sold, over 2,000 persons?—Two thousand and two, and I would estimate the two hours that I have given from 6 to 8 o'clock as equivalent to one-fourth of the whole Sabbath.

3415. And you computed from the census of those two hours that the number who would use the hotels would be about how many?—About 8,000 over the day.

3416. Will you inform us what was the class of persons to which these people belonged?—In the hotels where the greatest number went, which were about the Broomielaw, there would be more of the lower working classes go to them, and perhaps a considerable portion of seafaring men. The largest number that went into the hotel adjoining the harbour, and the people that frequent them, would be what you might say the working classes, but as I said there would be about 10,000 people in Glasgow every Sunday working and entitled to have refreshments in hotels as being travellers.

3417. Practically, about the Broomielaw, the public-houses are not closed on Sundays to which 8,000 persons have access?—The 32 hotels are scattered all over the city, but I say that the most went into those hotels adjoining the Broomielaw.

Dr. Cameron.

3418. I think the honourable Member has made a mistake, or you have made a mistake, in admitting that practically public-houses are not shut; are not all public-houses, without exception, shut; no public-houses are allowed to sell even to travellers?—There is no public-house in Scotland open for the sale of liquor on Sunday; the only place at which you can get liquor legitimately is an hotel, and then you must be a traveller or a lodger in the hotel.

Mr. Maurice Brooks.

3419. Did I not understand you to say within the last minute or two, that about the Broomielaw and that district about 8,000 persons visited the hotels, who were chiefly of the working classes?

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classes?—Yes, a working man may be a traveller.

3430. Did I understand you also to say that the whole number of persons arriving in Glasgow by railway on Sunday was 4,000?—Yes, I would take that as an average.

3431. Of the 4,000 who arrived, how many do you think would be likely to use public-houses, or come to Glasgow for the purpose of availing themselves of an open hotel?—I do not suppose that these people who come by railway would come for a purpose of that sort at all; they would be entitled to go to an hotel as a traveller, if they came from Edinburgh, a distance of 30 or 40 miles. There are trains from Edinburgh to Glasgow upon the Sunday mornings, and there are trains from Paisley, seven miles distant; and there are some omnibuses that come in from Paisley. And then the Liverpool steamer arrives on Sunday, and the Dublin steamer arrives on Sunday, I think.

3432. But if there are 4,000 travellers only who arrive, that would not account for the 8,000 of the working classes, alleged to be travellers, who visit hotels for drinking purposes on Sunday?—No, they would not; but, as I say, there may be about 10,000 people in Glasgow on Sunday who are entitled to refreshment at an hotel on account of their being travellers, working men coming in from small towns, six or seven miles from Glasgow, it may be to see their friends, or it may be to call upon an acquaintance. All those men would be entitled to refreshment at an hotel as being travellers, so that if you have 10,000 people in Glasgow who are entitled to refreshment of that sort which hotels supply, the 8,000 does not exceed the number that are entitled to have it.

3433. I do not suppose that people of the working classes who come to Glasgow as travellers stay at hotels or stay at lodging-houses; I am speaking of the 8,000 working classes who visit the hotels; do the working classes who happen to be travellers in Glasgow, live in hotels or in lodging-houses?—In lodging-houses. But those working people coming into Glasgow upon Sunday know that the hotel is bound to supply them with liquor if they are travellers; it is a legal obligation upon the hotel keeper to supply travellers and lodgers, and knowing the hotels, which is easily seen from the sign over the hotel, they go there and perhaps get a glass of whisky. The hotel-keeper says, "Are you a traveller?" "Yes." "Where did you come from?" "I come from Coatbridge," or "I come from Airdrie." Towns about seven miles from Glasgow. Then he is supplied with a glass of whisky.

3434. If he comes from the adjoining street only?—No, if he has come from a distance.

3435. Does he produce any voucher, any return ticket by way of guarantee to the hotel keepers who supply these 8,000 working classes with drink, that he is a traveller?—There is nothing, I believe, as a rule but the statement of the parties themselves, and if they make a false representation that they are travellers, when they are not travellers, then they are liable to be taken up and prosecuted, and fined to the extent of £2 for making a false representation to the hotel keeper, and a number of such persons are prosecuted every year in Glasgow. I have given in a list of them already. Again, if an hotel keeper supplies liquor to a person that he knew

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was not a traveller, he is liable to be fined and prosecuted.

3436. You spoke of the hawkers of drink, who are they?—Perhaps a man will put a bottle with a gill or two of whisky in his pocket, or a female may do the same, and go out about the street, and they see a half-drunken man, they take him into a close, and if he asks for a glass of whisky they pour it out into a glass and give it to him, and away he goes. Those are the hawkers of whisky.

3437. Is that frequently done?—There is a little of it, but not much of it goes on. I have given a list of those who have been convicted for selling without a license, and I think that included hawkers.

3438. Can you give us the number of persons charged with the illicit sale of drink as hawkers, or is there any such return?—I have not it here but I could give it; it is included in the other.

3439. Can you say how many of the arrests for drunkenness on Sunday were of persons in these hotels?—No, I cannot say; I have no means of knowing that.

3440. Supposing that the Dublin Metropolitan Police District covered 34 miles, and that the effective force of police for that was 550, do you think it would be possible to prevent shabben drinking in that district?—It is a very small number of men to the area, but the population is but small compared to the area, and I would be afraid that they would not easily suppress it entirely; but I think that they might be able to keep it down to small dimensions that it would not be a public nuisance.

3441. If the effective strength of the police in Dublin, with an area of 34 miles, is less than your effective strength of 950 police constables for nine and a-half miles, do you think that the police of Dublin can exercise an efficient supervision upon the shabben houses?—I could scarcely express an opinion upon that point, not knowing the situation, and the component parts of the population. The country may be separated from the dense portion of the population in the city itself; one constable where the population is small may only represent one constable to 1,000 or 1,500 of the population, whereas, in the city of Glasgow he will represent one in between 500 and 600.

3442. Surely if districts are crowded with population a given number of police can more effectively supervise these people than if they were spread over a wide area?—The space of his observation is smaller of course in extent of ground, but the number of people he has to observe is much greater.

3443. And therefore I ask if a less number of police will not do where the population is compact than where it is thinly and sparsely distributed?—I may say that the difficulty would be greater where the area is great and the population sparse. But I would expect in a small rural population to have some kind of opinion from the community there that would support the law, and would carry force to suppress what they would look upon as a nuisance amongst them; I think the people themselves would do so.

3444. You think that the sparseness with which they are distributed should affect public opinion?—I think it very likely that the population in those sparsely peopled places are more respectable a kind of country people which

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would not be so likely to be so vicious as a city population.

Mr. Charles Lewis.

3434. Let me understand; when you speak of 8,000 as an estimate of the number of persons entering 34 hotels on Sunday, I presume you did not mean members of the working classes alone, but members of all classes?—It applies to all classes.

3435. Including those who may be residing in the hotels as positive occupants of rooms?—Exactly.

3436. Can you give the Committee any estimate of the number of beds made up in the 34 hotels altogether?—No, I cannot.

3437. Are there any large hotels in Glasgow?—To give an idea of the hotels, the largest rental of an hotel in Glasgow is 1,675*l.* per annum, and the lowest 60*l.*

3438. Do you know what is the number of beds made up by the largest hotel in Glasgow?—I do not.

3439. Is there many that makes up as many as a couple of hundred?—I think that would be the utmost of any.

3440. Taking the number that entered those hotels between six and eight at 2,000 and over, is it not in the highest degree probable that a very considerable number of the 2,000 were actual occupants of rooms in those hotels?—I have no doubt but that was the case.

3441. About the legitimacy of whose entrance during the same period there can be no doubt?—Just so.

3442. Then we have the element of the number who come in by the various public conveyances into Glasgow on Sunday, which you put down at 4,000?—Yes.

3443. And, of course, those would contribute some quota towards the number of persons who were seen entering hotels on Sunday?—No doubt that would be so.

3444. Are there not a vast number, say, many thousands of persons, who might possibly come by different roads and different modes of conveyance other than public from various quarters around Glasgow?—Yes; I have supposed that there may be 6,000 in that way.

3445. Does the result of the whole of this, that, in your judgment having regard to the population of Glasgow itself, the number of entrances into Glasgow, beyond the proportion of 8,000, is a very small number to be found entering hotels on Sunday?—It is a considerably larger number than is likely to be accommodated as lodgers.

3446. Viewing it in the light of persons pursuing the object of illicit drinking; I mean unnecessary drinking; is it not a small number?—It is a small number to the large population; for instance, there was one of the hotels here that was referred to as having a very large number, and I asked the officer if he could give me any explanation, and he said the reason why he believed so many went there on the Sunday evening was, that the Guards' band was staying in this hotel; there had been a musical entertainment at Glasgow, and there were 21 of them I think in this one hotel, which he believed accounted for the excessive number that happened to be that hotel.

3447. How many entered the hotel that even-

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ing?—Two hundred and eighty-eight in the two hours.

3448. I suppose that each of the 21 had his admirers and friends?—They had friends who called upon them.

3449. With regard to the Roman Catholic and the Irish population generally of Glasgow, the number of whom you mentioned, are they chiefly located in given districts?—They are spread over all the city, but they are confined to small districts in that area.

3450. Were you in Glasgow at the time of the passing of the Forbes Mackenzie Act?—Yes; and before that.

3451. Was the state of the Irish population then relatively to the entire population of Glasgow, and the locality where they were aggregated, pretty well analogous to what it is now?—Very much the same, I should say.

3452. Was any difficulty found in dealing with that particular section of the community, the Irish, as regards the altered state of the law on Sunday closing?—Those shebeens that sprang up in Glasgow immediately after the Forbes Mackenzie Act came into operation, and which continued, more or less, until 1858, were frequented mostly by that class of the population.

3453. Did you find anything with reference to public demonstration?—Nothing.

3454. Or any great outcry as to public inconvenience?—None whatever.

3455. Or any persecution or oppression of the habits and rights of the people?—No, I never heard of such a thing.

3456. I suppose we may take it that the Irish population of Glasgow is not a particularly quiescent one, is it?—It contributes a great deal to the work of the police.

3457. I mean as regards demonstrations of opinion; they make their opinion pretty well heard?—Yes, they do. On the 12th of July they turn out in great numbers and show what they are, and there is a counter-demonstration perhaps another fortnight after that.

3458. I mean as regards any questions of legislation which affect them, they are in the habit of having large meetings, are they not?—Yes, they would cry out very readily if they were hurt.

3459. Can you call to mind the time of the Forbes Mackenzie Act, either before or at the time of its introduction, or after it, any evidence whatever of any strong feeling amongst the Irish community of Glasgow, as to the impropriety or indiscretion, or want of justice of that Act?—No. I do not remember such a thing. I am satisfied that if you were to poll the Irish population of Glasgow at the present day there would be a very large majority against either abolishing the present Act, or altering it so as to open the public-houses on Sunday.

3460. Is that answer confined to any religious portion of the Irish community?—To all.

3461. To both sections of the Church, Catholic and Protestant?—Yes.

3462. You know nothing of Ireland as I understand, but in an abstract point of view do you know of anything which would induce you to legislate, if you were a legislator, as regards applying the same law to any large community in Ireland?—If the whole population of Glasgow was composed of the Irish population, no doubt

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we would have much greater difficulty in enforcing the law than we have got.

3463. Is that all you are able to say with regard to the general abstract question, applying it to the Irish population of all sorts and classes?—I have no experience of the Irish population. If the opinion of the better class of people in Dublin had the same force that it has in Glasgow, I believe that it would restrain the lower portion of the population considerably in their conduct in that way; for in Glasgow I have no difficulty in getting private individuals, when it is necessary that they should occur, to appear before the magistrates to get a warrant, to come forward and take upon themselves that position, for the purpose of having the law enforced, and, if possible, doing good.

3464. I suppose we may take it that the very existence of repression, as regards the hours of sale of intoxicating liquors, must more or less preclude illicit drinking; that is inevitable, is it not, or an attempt at it?—It may be for a time; but we see, in Glasgow, that there is not nearly the same amount of illicit drinking now.

3465. Speaking in a general way, since the introduction of a law repressing public drinking houses for a certain portion of the day must necessarily for a time increase illicit drinking?—I have no doubt that it will for some time.

3466. Is it not after all a mere question of the police energy that is applied in bringing the law to bear against it?—I have not the slightest hesitation in thinking that the Dublin police, if you give them sufficient power, will in time bring about very much the same result as what we have experienced in Glasgow.

3467. You have gone through the phase first of the increase of illicit drinking houses?—Yes.

3468. And then of their repression?—Yes.

3469. So that you come back to a better state even than they were in before the Forbes Mackenzie Act passed as regards illicit drinking?—Yes, very much. I should expect that for the first five years, if a similar Act were introduced into Ireland, the police would have some very hard work and some very disagreeable work, but if they continued to peg away at them, it would in time bring about a very different state of matters. My own experience of the Forbes Mackenzie Act is, that at the beginning a great many people, no doubt, in the trade and otherwise looked upon the introduction of this as an oppression, and a considerable number of those engaged in the trade of the lower classes, when their house was shut up on Sunday, sold it in private houses, but it was well wooded out in a few years time; they got tired of it because the law was too strong for them.

Mr. Sullivan.

3470. Then Sunday closing has been a success in your city of Glasgow, as regards good order, morality, and peaceableness in the streets?—I consider that the greatest blessing which has been conferred upon Scotland, and especially on Glasgow, of any legislation that has happened during the last 50 years, has been the passing of the Forbes Mackenzie Act.

3471. Did you see in the newspapers or hear anything of the evidence that was given here about all the gloomy apprehensions that the police in Dublin had if this Bill became law, and all the dreadful things that they thought would

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happen?—I read Captain Talbot's evidence, and saw something to that effect.

3472. That was only an opinion, an apprehension, on his part?—Apparently so.

3473. But you have gone through the actual thing, and you know what has happened?—Yes.

3474. Did you ever hear that there was a man who wrote a pamphlet to prove that steam vessels could not ever get to New York, and yet we see that steamers do cross the ocean?—Yes.

3475. However, you know all about that?—Yes; we have had 23 years' experience of the Act.

3476. Are you not intensely amused with the bug-a-boo apprehensions of those policemen in Dublin?—If it was applicable to Glasgow, I would be very much surprised; but there may be a considerable difference between the Dublin population and the Glasgow population.

3477. How about those countrymen of mine, the Irishmen in Glasgow; they have never made any turbulent demonstrations against the observance of this law?—None whatever.

3478. If you subtract from your police officers everything that proceeds from drink, and if you could eliminate these offences from the Irish of Glasgow, would they not be amongst the best of your working-class population, except in respect of the crimes that arise from drink?—Quite. They would be as well conducted as any other portion of the population.

3479. You said that if all Glasgow were composed of an Irish population, it might be more difficult to carry out this law; what you mean by that, I presume, is if they were all Irishmen of the same class as those that are there?—Yes, the same class; but not if there was a mixed population of Irish.

3480. Supposing the city was composed of Irishmen represented by the different social classes, your apprehension would, of course, disappear more or less?—Yes, it would.

Chairman.

3481. Did you ever know that similar apprehensions were entertained either by yourself or by other persons holding official positions in Glasgow as to the effect of the Forbes Mackenzie Act in that city to those which are entertained by Captain Talbot and other persons holding official positions in Dublin?—No. I have read over my predecessor's evidence before the Royal Commission which touches upon that point, but I do not see that he had any apprehension of any rioting when the Act came into operation; and, as I said before, I have looked at the records in my office of the period and I see nothing indicating that extra precautions were taken by the police when the Act came into operation from what had been previously taken, and I have no recollection of there being any apprehension in Glasgow that there would be riots over it.

3482. Therefore, although you entertain no apprehension of it, it does not follow that the apprehensions entertained with regard to the effects of such a law in Ireland are entirely ill-founded?—It may be quite different in Ireland.

3483. I understood you to say that there were only 34 houses in the whole of Glasgow, containing a population of 540,000, in which it was possible for any persons to get drunk on Sunday as a *bona fide* traveller?—Yes.

3484. Has

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3484. Has that been the case since the passing of the Forbes Mackenzie Act, or has the number of such houses decreased?—The number of hotels has decreased since then; the number of hotels in Glasgow in 1858 was 44; in 1875 there were 37; in 1876 there were 33; in 1875 there were 32, and in 1876 there were 34.

3485. The change has not been very material then?—There is a decrease certainly.

3486. Before the passing of the Forbes Mackenzie Act, how many houses were there opened for the sale of drink at which persons could get drink on Sundays in Glasgow?—There were hundreds. Every publican that liked opened his house upon Sunday. Of course there would be a number of respectable people, the wealthier portion of the trade that would not open upon Sunday, but the greater part of the licensed persons would open upon Sunday.

3487. It has been stated in discussing this question, that at Edinburgh, at any rate, a very large proportion of those who might legally open, nevertheless close voluntarily; is that the case at Glasgow?—There was a number, and perhaps a considerable number; but the majority of them, I would say, opened on Sunday, or some portion of Sunday.

3488. You could not at all tell us how many?—No.

3489. I understand that you have informed the Committee that there were 2,300 houses licensed for the sale of liquor in Glasgow before the passing of the Forbes Mackenzie Act, could you give us any idea of the proportion of those who might voluntarily have closed?—It would be a mere guess.

3490. Let me turn your attention to this point; owing to the terms of your licensing law, there are only 34 houses in the whole of Glasgow at which *bona fide* travellers can get liquor on Sundays; but you are aware, are you not, that the licensing law in Ireland differs very materially from the Scotch licensing law?—I am aware of that.

3491. And that if a provision were inserted in a Sunday closing law for Ireland that *bona fide* travellers should be able to obtain drink even only in public-houses on Sundays, the houses thus opened to *bona fide* travellers in Dublin would be very many more indeed than your 34 houses in Glasgow?—Yes.

3492. There are 1,006 houses returned as public-houses in the Dublin metropolitan district; does not that occur to you as a very different condition of things?—It does; and if you were to leave such houses at liberty to open for the supply of liquor to travellers on Sunday, I do not know that you would make a very great improvement by doing so, for there would just be false representation going on or connived at very likely by the publican. It would be impossible for the police to control those who might go and make false representations over such a large number of houses.

3493. Would you make any suggestion to the Committee as to any legislation which might be adopted to meet that evil?—My impression is that our system of licensing just now is as nearly perfect as possible, the three classes of licences shutting up public-houses and grocers altogether on Sunday, and leaving the supply of travellers and lodgers to the hotels.

3494. I had not included the spirit grocers or

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the wine refreshment houses, or the beer retailers in that number which I gave to you of 1,006; do you think that it would be necessary for the efficient and proper working of the Sunday Closing Act with the *bona fide* traveller clause in the Dublin Metropolitan police district, that the Irish licensing law should be changed to correspond with yours?—I think so. The keeper of a public-house and a grocer should like most other people in business having a shop, live apart from his place of business and shut it up at the legal hour and leave it, and come back in the morning the same as most other shopkeepers do. But if he lives on the premises he is sure almost to be led into difficulties by friends coming and soliciting drink from him. When his house is attached to his shop, or for the love of gain, he is very likely, if he sees that the police are not watching him, to sell whisky when he should be closed up. As I have said before, there are only six publicans in Glasgow who live on the premises, and three grocers.

3495. You gave the Committee a list of convictions for drinking in shabby houses and illicit drinking generally for 15 years between 1862 and 1876. I see that the numbers vary very materially; in 1865, for instance, there were only three convictions; in 1870 there were as many as 563, and they have gone down again to 69 in 1876; can you explain the great difference between those numbers?—No, I really cannot explain how it arises.

3496. But do the Irish population of the working class of whom you told the Committee, do nothing on Sunday afternoon, as far as you know?—There are a large number of them frequent the Glasgow Park, the Glasgow Green, as it is called; a large number of them go there on Sunday. I think they just wander about the streets; that is the most that they do. Since 1863 the authorities have opened three very handsome parks, besides the old Glasgow Green, for the recreation of the people.

3497. Do not you think that they may slip into the houses where they may get drink unknown to the police occasionally?—They may to some extent, but if they were getting drink to excess, it would show itself in their conduct, and they would be taken up by the police; and therefore the apprehensions would be increased.

3498. Do you look to the apprehensions as a complete test of the amount of illicit drinking?—I think it is.

Mr. Maurice Brooks.

3499. If I understood your figures rightly, you had 1,867 licensed houses open on Sunday in 1863?—In 1863 there were 2,053.

3500. And you now have but 34?—No, that is the hotels.

3501. Thirty-four available on Sunday?—Yes.

3502. Whereas in 1863 you had 2,053 public-houses available for the sale of liquor on Sunday, now you have but 34; and yet, notwithstanding the reducing the number of licensed houses from 2,053 by 2,019, the number of arrests for drunkenness on Sunday have only decreased by 14½, as an average?—Those facts are shown by the returns which I have produced.

3503. Are those the facts?—Those are the facts, as shown by the return.

3504. Have you any explanation to offer why, with

Mr. Maurice Brooks—continued.

with so vast a diminution in the number of licensed houses, and the suppression of a vast number of brothels, owing to which, as you have given in evidence, a great decrease in the number of arrests has arisen, the arrests for drunkenness have decreased by so small a relative proportion?—These are the facts by that table, which has been made up from material in possession of the police authorities.

3505. Can you offer any explanation why, if the number of houses has decreased by 500 per cent., the number of arrests have only decreased by two-thirds of the whole?—I said also at the same time that there had been a very considerable difference in the treatment by the authorities and the police of people making nuisances of themselves through intemperance since the Forbes Mackenzie Act came into operation, compared with what there was before; the police are certainly much more strict now in removing such people from the streets than what they were previously; drunkenness and disorder seemed to be a kind of normal condition of the lower parts of the city, and was looked upon as

Mr. Maurice Brooks—continued.

nothing extraordinary, and that there was no remedy for it; but since those Acts were passed shutting up public-houses on Sunday, the people of Glasgow expected that they would reap some benefit from them, and they expected that the police would do everything in their power to bring about a very different state of matters, so that the police have been acting much more strictly since than they were doing before; they might pass perhaps ten drunken people then for one that they would pass now.

Dr. Cameron.

3506. Is there not another return which you wish to hand in?—Yes, it is a return showing the number and rental of houses licensed for the sale of excisable liquors in the city of Glasgow during the years 1853, 1858, 1873, 1874, 1875, and 1876 (*delivering in the same*), and also a return showing the number of licences for the sale of excisable liquors granted in the eight principal towns of Scotland, with population, &c., in 1861 and 1871 (*delivering in the same*).

Mr. McGill.

23 March  
1877.

Friday, 6th April 1877.

MEMBERS PRESENT:

Sir Michael Hicks Beach.  
Mr Maurice Brooks.  
Dr. Cameron.

Mr. Meldon.  
Mr. O'Shanghnessy.  
Mr. Sullivan.

THE RIGHT HONOURABLE SIR MICHAEL HICKS BEACH, BART., IN THE CHAIR.

Mr. THOMAS LANTON, called in; and Examined.

Dr. Cameron.

Dr. Cameron—continued.

Mr. Linton. 3507. You are Chief Constable of Edinburgh, are you not?—I am.

6 April 1877. 3508. How long have you filled that office?—I was appointed in 1851.

3509. Had you any connection with the police force of Edinburgh before that?—From 1837.

3510. The Forbes Mackenzie Act became law in 1854, did it not?—Yes, but the first Act imposing restrictions on the hours of public-houses was a local Act, the Edinburgh Police Act of 1848.

3511. But that Act did not close public-houses on Sunday?—Not altogether; in the first place it was confined to houses which came under the description of spirit shops, cellar, vault, or similar place, and that caused a number of public-houses to be exempted from the operation of the Act. But such of them as were not exempted were required to keep open only between 1 and 2 o'clock on Sundays, and after 4 in the afternoon.

3512. About what is the population of Edinburgh?—About 211,000.

3513. That comprises a very considerable Irish population, does it not?—There are a few thousands at all events. I do not think the proportion is nearly so high as in Glasgow for instance.

3514. Can you tell the Committee the area on which the City of Edinburgh is built?—About  $7\frac{1}{2}$  square miles.

3515. What is the police force?—Three hundred and sixty-three is the total effective force.

3516. Have you not some statistics of the number of travellers who are to be found in Edinburgh on a Sunday?—Yes, last Sunday there were about 750 reputed travellers who received refreshments in the hotels. There are 47 hotels in Edinburgh, and when they were visited in the evening there were 409 persons found living in the 47 hotels.

3517. Have you any statistics as to the number of persons who come by train and steamboat or who leave Edinburgh by train or steamboat on Sunday?—No.

3518. There is a very large passenger traffic between Edinburgh and some of the adjoining districts on Sunday, is there not, for instance, Musselburgh, Portobello, and Leith?—Yes; Portobello is the nearest small town, which is about three miles from Edinburgh, and there is

Musselburgh, about six miles, and Dalkeith also about six miles.

3519. Are a large number of the citizens of Edinburgh in the habit of going to those places to spend the Sunday?—Yes; a few years ago very large numbers went to Portobello and Musselburgh especially.

3520. A few years ago complaints arose in those places, did they not, as to the drunkenness and disorder of the persons who went there and became *bona fide* travellers?—Very serious complaints.

3521. How did the magistrates deal with that nuisance?—They used to be admitted into the hotels in Portobello and Musselburgh on the ground that they were travellers whom the Act allowed the hotels to admit, but the authorities of the two places limited that a few years since by taking away all the hotel licenses; there has not been an hotel license either in Portobello or Musselburgh for a few years past. The public-houses are under the Act, and of course bound to keep shut on Sunday.

3522. Has that step of the magistrates involved any inconvenience that you have heard of?—I have heard it complained of, but the bulk of the inhabitants of those places are highly satisfied with the change that has been brought about.

3523. Are there any large hotels, or is there much real travelling done in Portobello or Musselburgh?—I do not think so; indeed my view of the Act has always been that the hotels should not have admitted those people, and that they should not have entertainment on the ground of their being travellers at all. I think a traveller requiring refreshment in the terms of the Act, is a person on his journey, who has journeyed a certain distance, and has such a further distance to journey, as makes it reasonable and proper that he should receive refreshment, both eating and drinking; but I do not think that a man who goes two or three miles for the purpose of getting drink is entitled to be treated as a traveller to the extent of getting a few glasses of whisky and no other refreshment of any kind, which the great bulk of those people did at Portobello and Musselburgh.

3524. You have a long series, have you not, of statistics relating to drunkenness in Edinburgh, extending over many years?—Yes.

3525. Will you be good enough to state to the Committee

Dr. Cameron—continued.

Committee the result of those figures?—I can go back to 1847, and I have taken four periods, each of seven years, the first period being the seven years ending with 1853 (that was before the first Act came into operation at Whit Sunday 1854). The second period being the seven years ending with 1861, being seven complete years under the Act of 1854; and the remaining two periods are a period of seven years ending with 1869, and a period of seven years ending with last year. I find that for the first period of seven years, the total yearly average of persons found on the streets inebriously drunk was 6,094, and the daily average, 17. In the next period of seven years, ending with 1861, the yearly average was 4,465, and the daily average was 12.2. Then for the seven years ending with 1869, being the first seven years under the present Act, which took effect in 1862, the yearly average was 2,123, the daily average being 5.8. And for the last seven years, ending with last year 1876, the yearly average was 2,019, the daily average being 5.5.

3526. That includes simply drunk and incapable?—Yes.

3527. What are the figures for drunk and disorderly?—That shows a different result, but perhaps I should explain that as regards inebriously drunk cases, the rule has always been, both before the Act of 1862 made it an offence and afterwards, that no person was taken charge of by the police, unless so drunk on the streets that the person could not get along, and there was nobody there to take charge of him but the police. That has been the procedure all throughout from the very earliest period. The Act of 1862 first made it an offence if a person was so found, and since then, every person has been taken before the magistrate, and liable in a fine of 5s. Then, as regards persons who are drunk when apprehended for other offences, we have a number of police stations in Edinburgh, and it is left to the discretion of each station-house keeper whether he will write the word "drunk" opposite the prisoner's name. I need scarcely say that there are few subjects which different people think more differently about than as to whether a man is drunk, and I really do not think these figures of drunk when apprehended so reliable as the others. There could be no mistake about persons inebriously drunk, but I will give the figures. I have not exhausted, however, the inebriously drunk cases. I have the figures for Sunday; I cannot go further back with the Sunday figures than the year 1859, the first year after my own appointment; they were not kept previously to that, and therefore I have taken the average for 1852 and 1853, two years before the Act of 1854, and for 1855 and 1856, the two years immediately afterwards. The yearly average on week-days for the first two years, 1852 and 1853, was 5,362, the daily average being 17.1. In the same two years, on Sundays, the yearly average was 685, and the daily average 18.2. Then I have taken it in the same way for the hours between 8 o'clock on Sunday morning and 8 o'clock on Monday morning. The yearly average for those two years was 367, and the daily average 7. Then for the two years 1855 and 1856, week-days, the yearly average was 4,630, and the daily average was 14.6. For the Sunday the yearly average was 419, and the daily average 8.050.

Dr. Cameron—continued.

Between 8 o'clock on Sunday morning and 8 o'clock on Monday morning the yearly average was 100, and the daily average 2.

3528. Am I right in taking from you that whereas in the two years previous to the passing of the Forbes Mackenzie Act the daily average of apprehensions as drunk and incapable on week-days was 17.1, and on Sundays between 8 a.m. and 8 a.m. on Monday it was 7?—Yes.

3529. But in the two years subsequent to the passing of the Forbes Mackenzie Act the week-day average was 14.6, and the average on the Licensing Sunday, that is between 8 a.m. on Sunday and 8 a.m. on Monday, was reduced to 2?—Yes.

3530. Then in the next period of seven years how does it stand?—Then for the seven years ending with 1861, the week-day yearly average was 4,056, and the daily average 13.1 Sunday yearly average was 409, and the daily average 8. Between 8 o'clock on Sunday morning and 8 o'clock on Monday morning the yearly average was 110, and the daily average 3.1. Then in the seven years ending with 1869, being the first seven years under the present Act of 1862, the week-day yearly average was 1,938, and the daily average 6.2.

3531. You gave us, I think, another set of statistics?—Yes, and they include the whole periods.

Mr. Meldie.

3532. The first number you gave as the yearly average of 2,123, included week-days and Sundays, and the average for that was 5.8?—Yes. I then begin with the seven years ending in 1869, that being the first seven years after the passing of the Act of 1862, the present "Public-houses Act"; and I find that the week-day yearly average was 1,938, and the daily average 6.2. On Sundays the yearly average was 183, and the daily average 5.6. Between 8 o'clock on Sunday morning and 8 o'clock on Monday morning the yearly average was 43 and the daily average 3. Then, during the seven years ending with last year, 1876, the yearly average on week-days was 1,857, and the daily average 5.9. The Sunday yearly average was 163 and the daily average 3.1. Between 8 o'clock on Sunday morning and 8 o'clock on Monday morning the yearly average was 33 and the daily average 1.

3533. You have in the police reports regularly printed by the Edinburgh Town Council a table of statistics, have you not, bearing upon the same subject?—Yes (hesitating in the answer).

Chairman.

3534. I do not understand why the yearly average between 8 o'clock on Sunday morning and 8 o'clock on Monday morning is 43 and 52 in different periods of the year, while the daily Sunday average, taking some other Sundays, is much higher?—The explanation of that is, that the great majority of cases occur very early on Sunday morning before 8 o'clock, and very few occur throughout Sunday or on Sunday night.

Mr. Meldie.

3535. Do those cases arise from Saturday-night drinking?—Most of them. I believe the history of it, in very many cases, is this, that

Mr. Lindsay.

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1877.

Mr. Lums.

6 April  
1877.

Mr. Meldrum—continued.

certain people begin drinking in the public-house on Saturday night, and they are turned out of the public-house at 11 o'clock; but not being satisfied, they go from the public-house to the shebeen; that is very much the case. The public-houses close at 11 o'clock on Saturday night, and remain closed till 3 o'clock on Monday morning; they are not open at all.

3535. Do the numbers that you gave us include the arrests after 12 o'clock on Saturday night?—Yes, persons of that description found incapable drunk.

Dr. Cameron.

3537. That is the reason, is it not, why the Edinburgh magistrates have made a distinction between the arrests which happen between 8 o'clock on Sunday morning and 8 o'clock on Monday morning, which they consider to be the licensing Sunday?—Yes.

3538. The statistics contained in the report of the Edinburgh police force have been compiled in the same way since 1852, have they not?—Yes, according to a uniform system, under my own immediate supervision, for the whole period.

3539. They show, do they not, in the different tables the numbers of persons arrested on Sundays in each year since 1852?—Yes.

3540. And the number of persons arrested between 8 o'clock on Sunday morning and 8 o'clock on Monday morning during that period, and the number of persons arrested on Saturdays, and the number of persons arrested on Mondays, within that period?—Yes.

3541. You have informed the Committee as to the differences in the number of arrests on week-days and Sundays, but you have also had occasion to observe a similar decrease in the number of arrests on Mondays, have you not?—Yes, and on Saturdays.

3542. Although not on such a large scale?—No.

3543. I find in your police reports, that from 1852 to 1875 the number of arrests on the licensing Sunday has decreased almost uniformly from 401 to 46, or very nearly by nine-tenths, and the number on Saturdays has decreased from 1,390 to 378?—Yes, and last year 659.

3544. And the numbers on Mondays have decreased from 776 in 1852, to last year 265?—Yes.

3545. Therefore your experience goes to show that the closing of public-houses on Sundays has led to a marked diminution in drunkenness on Monday?—Undoubtedly.

3546. Were there any complaints as to the men not turning up for work on Monday morning, in consequence of their having been drunk on Sunday?—Numerous, no doubt.

3547. Have you anything of that sort now?—Not to anything like the same extent.

3548. Can you give the Committee any information regarding the amount of shebeening which has been carried on in the different periods to which you have referred?—Yes, I think I can. Previously to 1848 the public-houses were regulated by the Act of 9 Geo. 4, and under that Act they were only compelled to keep closed during the hours of Divine service on Sunday. There is a reference in the form of certificate under that Act to unreasonable hours, but it was not defined, and it practically amounted to nothing; and I know myself that in Edinburgh,

Dr. Cameron—continued.

under that Act, some public-houses were never closed at all except during the hours of Divine service on Sunday, and there were relays of waiters, and they were kept open all the night through, and others were only closed for a few hours, perhaps four hours, from 1 or 2 in the morning till 5 or 6; and up to 1848, I am not aware that there were any unlicensed houses where liquor was sold in Edinburgh. The Act of 1848 imposed certain restrictions to which I referred, namely, that public-houses coming under the description of cellars or vaults, were not allowed to be open on Sunday till 1 o'clock. They were allowed to be open between 1 and 2, and after 4 on Sunday afternoon, and they were required to keep shut from 11 at night till 6 the next morning on week days. That Act continued in operation up till 1854. In 1855 my attention was specially directed to the subject, and I found that in that year there were about 30 unlicensed houses in which liquor was sold, and that there were about 120 houses of ill-fame where liquor was supplied after the public-houses were shut at 11 o'clock at night. At that period we were still under the Act of the 9th of George the Fourth, as regards ten-victions against persons selling without a license, and there were no cases in Edinburgh. In the first place it was necessary to prove not merely that the person sold the liquor, but that the person kept an inn or public-house. It was not an act of selling, but a practice of selling that was struck at, and under that Act the private informer was the person who had to prosecute; but in 1853 I directed the attention of the Excise to those houses to which I have referred. Then under the Act of 1854, which continued in operation till the last Act, the Act of 1862, public-houses were required to be closed, as they are at present, from 11 at night until 8 in the morning, and to be kept entirely closed throughout the Sunday, inns or hotels being the only houses allowed to be opened on Sundays; and in 1859, while that Act was in operation, I had occasion to test the matter as regards the number of shebeens in Edinburgh, and I found that they were largely increased. In 1859 I found there were 117 shebeens, as they are sometimes called, and 126 houses of ill-fame, in all of which there was reason to believe that drink was sold, in all 243 houses. I may mention that under that Act of 1854, although there were certain powers given to the police, with regard to dealing with the shebeens, and it was made an offence to barter or sell spirits, yet it was defective, in respect that it was confined to spirits, and did not include ale and beer, and it was considered necessary to prove the actual sale before any conviction could be obtained. In 1856, under a special local Act power was first given to have these houses prosecuted in the police courts; and I find that as regards the convictions of persons trafficking in excisable liquors without a certificate during the seven years ending with 1861 (that was seven years under the Act of 1854), on week days there were 115 persons convicted, giving a yearly average of 16 in each of the seven years, and then on Sundays 330 persons were convicted, giving a yearly average of 47; the totals being 445, and 64 the yearly average, that is, taking both week days and Sundays. Then under the Act of 1862 increased powers were given to the police to deal with unlicensed houses; it was made an offence to traffic in any excisable

Dr. Cameron—continued.

excisable liquor, and it was held sufficient for conviction if the place was a reputed shebeen, and that some person other than the keeper of the place was found there drunk or drinking. I found as the result of these increased powers, that the number of shebeens had been considerably decreased in Edinburgh. As I mentioned already, in 1839 the total number of both classes of houses was 243; by 1870 it was down to 140, and last year down to 108, the 108 including 70 houses of ill-fame, and 38 shebeens proper. And there is an important distinction to be borne in mind, because, of the 38 reputed shebeens in Edinburgh during the last year only 7 were used regularly throughout the week, and 31 of the 108 were kept open and liquor sold in them from Saturday night till Monday morning, but not during the week.

3548. You have given us the number of the effective police in Edinburgh as 363; before the Sunday Closing Act became the law in Scotland I understand that you found quite enough work for your force to do on Sunday?—Yes; a much larger police force were on duty throughout the Sunday than has been the case for several years past.

3549. Now you are able, are you not, to allow half your men off duty on Sunday?—Yes; in fact from 7 o'clock on Sunday morning till 5 o'clock on Sunday night I have only 26 men at a time on duty throughout Edinburgh, that is regular constables on beats. I have detective officers and others, but the number of constables on beats during that part of Sunday amounts to 26.

3551. How many are on beats at a time on ordinary week days?—Seventy-eight.

3552. So that you have a much fewer number on the beats than half the ordinary number?—Yes, undoubtedly; the day force consists of 78 constables in three divisions, and I have only one division on duty at a time during that period of the Sunday which I have named.

3553. You have found as the result of your experience in Edinburgh, I understand, that there are most shebeens to be found in those districts which are most liberally supplied with public-houses?—Yes, I have a table here which gives a list of the streets, and the number of public-houses and shebeens in the different streets. Just taking a few of them I find that in Canongate, and the closes off it, there are 17 public-houses and 11 shebeens. In a particular street, Rose-street, there are 17 public-houses and 18 shebeens. These are the highest numbers in particular streets, but as a rule I find that in a street where there are the largest number of public-houses, there are also the largest number of shebeens.

3554. How do you account for that?—I think it is partly owing to the cause which I have mentioned, that the people begin drinking in the public-house, and go from the public-house to the shebeen.

Chairman.

3555. Is not that a low neighbourhood?—Yes, it is.

Dr. Cameron.

3556. Do you find that the shebeens prevail only in low neighbourhoods, or does that hold good throughout the whole of the city?—It applies to the city generally, but the largest 638.

Dr. Cameron—continued.

number both of public-houses and of shebeens are in what are accounted the lower neighbourhoods in Edinburgh.

3557. Do you find that the public-houses and the shebeens are mixed together, not merely in the lower neighbourhoods, but throughout the whole of the city?—Yes, that holds good throughout the city. For instance, in the High-street and the neighbouring closes there are 17 public-houses and 3 shebeens. In Canongate and the closes there are 11 public-houses and 5 shebeens. In what is called West Port there are 3 public-houses and 4 shebeens; Rose-street, as you are probably aware, is in the New Town, that is to say, on the north side of Princess-street.

3558. How do you set about obtaining convictions of shebeens; do you employ constables in plain clothes?—Yes, I have always done so.

3559. Do they demand drink?—No, they simply watch the houses, and if they can get persons in them drunk or drinking, or if the persons will give information and say that they were supplied with drink, they are the witnesses, and on their evidence the cases are proved. I prosecute in these cases myself as prosecutor fiscal of the police court, which office I hold, as well as being head of the police force.

3560. I presume that you have no cases of Sunday selling by grocers in Edinburgh?—No, it is a very rare occurrence indeed.

3561. Have you much trouble with the table-beer licences?—Yes; they give a very great deal of trouble.

3562. Did the licence entitle the holder to sell on Sunday?—No, it was not so much on the Sunday as throughout the week that they caused very much annoyance.

3563. A witness connected with the police force of Dublin gave it as his opinion that if the public-houses were closed on Sundays, it might lead to persons going into improper houses in order to obtain drink; is it according to your experience in Edinburgh that such has been the case?—My experience is that before the Act of 1862, which gave the police powers as regards shebeens, it was so, and that the number was largely increased, but since then the police have been able to reduce the number very considerably.

3564. Have you some statistics as to the number of persons who were found on a visit which was made by the police to a number of those houses of ill-fame on a particular Sunday?—Yes; I have taken a Sunday in 1853, which was before the first Act of 1854, and last Sunday, and I have given the figures for each.

3565. Before making that comparison, will you be so good as to answer the question which I put as to the houses of ill-fame that are open on Sunday?—Last Sunday evening the whole of such houses in Edinburgh, 108 in number, were visited by the police, that is, 70 houses of ill-fame and 38 shebeens, making 108 in all, and the number of persons found in them, apart from inmates, amounted altogether to 61 persons, namely, 59 males and 2 females. There were several houses in which there were no visitors, but the whole number of visitors, when the whole 108 were visited, was 61 persons.

3566. Therefore it is pretty evident that the closing of the public-houses on Sundays in Edinburgh does not drive persons to those houses for the purpose of obtaining drink?—Not except at a very

Mr. Linton.

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Mr. Linton.

Dr. Cameron—continued.

a very early hour on Sunday morning. I believe that from 11 o'clock on Saturday night until 2 or 3 on Sunday morning, the largest number of persons go to those shebeens, but throughout the Sunday the number is very small indeed.

3577. With regard to your comparison between the number of persons who are supplied with drink now and under the old system, will you give the Committee your figures?—On the particular Sunday in 1853 when it was tested there were 312 licensed houses open between 1 and 2 o'clock on Sunday afternoon, and after 4 o'clock on Sunday evening. Some of our respectable citizens had been so much struck with the amount of drunkenness that they volunteered in large numbers and watched each of those 312 houses, to observe the number of persons who entered them at those periods on the Sunday, and I may mention that when we got the figures our Lord Provost was so much struck with them that he instructed me to test those figures with regard to six houses by confidential officers. That test was applied, and the numbers returned by the police were in excess of the numbers which had been returned by those private persons. The figures are these. Between 1 and 2 o'clock in the afternoon of that Sunday 4,232 men, 2,459 women, and 2,380 children were seen to enter the 312 houses; in all 9,021. Then after 4 o'clock, until they shut at night (some shut earlier than others), there were 17,972 men, 9,470 women, and 5,313 children, the total being 32,755; and the grand totals for the two periods were 22,204 men, 11,929 women, 7,643 children, and the grand total 41,776.

3578. So that Edinburgh must have been rather a droughty place at that time?—Very much so, I should gather from these figures.

3579. Now, what is the case?—Last Sunday, as I have mentioned, in all the reputed shebeens the total number of visitors was 61, and it was considered that about 750 travellers, respectable people, got refreshments in the hotels throughout the Sunday.

3579. How many people were there living in hotels?—Four hundred and nine were residing in the different hotels, the hotels being 47 in number. I can also give the Committee the number of convictions for trafficking in excisable liquors for the last two periods of seven years. For the seven years ending in 1869, being the first seven complete years under the present Act, there were on week days 350; yearly average for the week days 50; Sundays 820; yearly average for Sundays 117; total number of convictions during the seven years 1,170; yearly average 167. And for the seven years ending with last year, 1876, on week days the total number was 255; yearly average 36; total number on Sundays 533; yearly average 76; the total number being 786, and the yearly average 112.

3571. Was there any dissatisfaction or any popular tumult excited by the closing of the public-houses on Sunday in Edinburgh?—There was not, and I am quite satisfied that at this moment if the votes of the publicans were taken, there would not be five publicans out of the whole number who would not say that they considered it a great boon to themselves.

3572. What do you say with reference to the public?—I have no doubt that the same would be the result.

Dr. Cameron—continued.

3573. Have you ever heard of any agitation for the reopening of public-houses?—None whatever.

Chairman.

3574. I have heard it said, that a very considerable number of the publicans in Edinburgh closed their houses voluntarily on Sundays before the passing of the Forbes Mackenzie Act?—That was so. In that year which I referred to, 1853, there were altogether 975 licensed houses, and only 312 of those 975 were opened on Sundays, the others having of their own accord, without being compelled by law, closed their houses.

3575. So that even at that time there was, on the part of the publicans and also on the part of the public, a very strong feeling in favour of voluntary closing?—Yes, two-thirds closed of their own accord.

3576. Has the consumption of drink, generally speaking, increased in Edinburgh of late years?—I cannot answer positively, but my impression is that it has not diminished much, if at all.

3577. Are you aware that it has largely increased in the whole of Scotland?—I am not certain.

3578. Will you take in your hand the last Report of the Inland Revenue Commissioners (*Handing the same to the Witness*), and state to the Committee the facts which you see at page 8, as regards the three Kingdoms?—"Consumption per head of population, of foreign and colonial, and British spirits in the years 1866, 1871, and 1876. Year 1866, England," under the head of "Foreign and Colonial," '322; in 1871, '341; and in 1876, '415. Under the head of "British," in 1866, the consumption per head was '536; in 1871, '574; and in 1876, '699; making the total in 1866 to be '858; in 1871, '915; and in 1876, 1'114.

3579. Those figures apply to England; will you now go to Scotland?—In Scotland, in 1866 the total was 1'842; in 1871, 1'925; and in 1876, 2'446. In Ireland, in 1866, the consumption per head was '859; in 1871, 1'154; and in 1876, 1'384.

3580. Do not these figures show a very large increase in the consumption of spirits per head of the population in Scotland?—No doubt of it.

3581. And a far larger increase, and a far larger amount per head in Scotland than in either of the other two kingdoms?—Yes.

3582. Do you think that Edinburgh takes its full share in that increase in the consumption of spirits?—I am inclined to think it does.

3583. Do you think that Sunday takes its share with the other days of the week in that increased consumption?—I do not think so.

3584. You think, therefore, that in Edinburgh the increased consumption is on the six days, and not on the Sunday?—More than upon Sunday I think.

3585. Upon what do you found that opinion?—Taking it for granted that the class of people who drink to excess on Sundays are the class who are likely to get into the hands of the police, I find that the police statistics show a large decrease in the number apprehended as drunk or inebriated drunk after 8 o'clock on Sunday morning, and all throughout the Sunday; and that result quite accords with my experience as public prosecutor in the police court, where such cases are regularly heard and disposed of.

3586. You



Chairman—continued.

3586. You did not give us, did you, the statistics of drunk and disorderly?—No, but I have them here, and can give them to the Committee. I take the two years 1852 and 1853 as before, and I find the total number to be 7,403, the yearly average 3,702, and the daily average 10.1. In 1855 and 1856 the total number was 5,847, the yearly average 2,924, and the daily average 8. During the seven years ending with 1861, that is seven complete years under the Act of 1854, the total number was 23,091, the yearly average 3,300, and the daily average 9. During the seven years ending with 1869 the total number was 27,071, the yearly average 3,868, and the daily average 10.6. For the seven years ending with 1876, the total number was 28,095, the yearly average 4,014, and the daily average 11. Then as to the week days and Sundays in 1852 and 1853, the yearly average was 3,568, and the daily average 9.8 on week days. On Sundays the yearly average was 644, and the daily average 19.4. Between 8 o'clock on Sunday—morning and 8 o'clock on Monday morning the yearly average was 312, and the daily average 6. During the years 1855 and 1856, the yearly average on week days was 2,568, and the daily average 8.2. On Sundays the yearly average was 354, and the daily average 7. Between 8 o'clock on Sunday morning and 8 o'clock on Monday morning the yearly average was 64, and the daily average 1.2. During the seven years ending with 1861, on week days the yearly average was 2,775, and the daily average 8.2. On Sundays the yearly average was 521, and the daily average 10. Between 8 o'clock and 8 o'clock the yearly average was 121, and the daily average 2.8. During the seven years ending with 1869, on week days the yearly average was 3,194, and the daily average 10.2. On Sundays the yearly average was 674, and the daily average 13. Between the hours of 8 o'clock and 8 o'clock, the yearly average was 105, and the daily average 2. During the seven years ending with 1876, on week days the yearly average was 3,345, and the daily average 10.7. On Sundays the yearly average was 671, and the daily average 13. Between 8 o'clock and 8 o'clock the yearly average was 128, and the daily average was 2.6.

3587. You gather, as I understand, from the fact that the arrests of persons incapable drunk have diminished largely on Sundays during late years, that there is less drinking on Sundays?—At all events less drinking that comes under the notice of the police.

3588. But would you say there is less drinking?—I could not positively speak as to that.

3589. Let me call your attention to this fact, that the figures which you have given us with respect to week day drunkenness seem to run on very much the same lines as those which you have given us with respect to Sunday drunkenness; they diminish where the Sunday drunkenness diminishes, and they increase where it increases?—My impression is that comparing the Sunday in 1853 for instance, undoubtedly there is much less drink supplied now by houses of any description than used to be supplied in that year and previously to that year; and that taking all, except the lowest class of the population, it is not a general practice to drink to excess on Sundays in Edinburgh, either in private houses or otherwise.

3590. The decrease in the arrests for drinking

0.58.

Chairman—continued.

on week days has not been so large as that in the arrests for drinking on Sundays; but might not that arise from the fact that drinking on Sundays, if it exists, is by necessity more in private houses than drinking on week days?—That might be a cause.

3591. What is your opinion as to the amount of drinking in private houses in Edinburgh on Sundays; do you think there is much of that?—I do not think there is much drinking to excess.

3592. Not even by the lowest class?—Except by the lowest class.

3593. Do you think that the lowest class do drink to excess in private houses?—There is a certain class who drink whenever they can get it, Sunday or week day.

3594. What sort of places are the private houses in which they drink?—Their own private houses.

3595. Are they what we call tenement houses?—Yes, undoubtedly many of them in the old town close; they are very old houses, and very uncomfortable houses.

3596. If persons in that position drink privately in their own houses or in their rooms, for that is what it really amounts to, on Sundays, have they not every facility for illicit sale, their friends or others who may come in, without incurring the notice of the police?—They are very carefully watched. I have a considerable force who, from Saturday night till Monday morning, do nothing else but watch all houses of which there is any suspicion.

3597. How many men have you on duty from Saturday night till Sunday morning?—I think I have about 16 doing duty in pairs in plain clothes in that particular department, over the whole of Edinburgh.

3598. Which, I think you have told us, included an area of  $7\frac{1}{2}$  square miles?—Yes. But as I mentioned that those shebeens are principally to be found in the old town in the low neighbourhoods, or in neighbourhoods where there are a number of public-houses.

3599. So far as you are acquainted with them?—So far as my knowledge goes.

3600. Are Portobello and Musselburgh in your district?—No, they are within the county district of Middlesbrough.

3601. You have told us that the magistrates have recently put a stop to the use of the *laissez* traveller permission in those places, by simply taking away the hotel licenses altogether; can you tell us what happens to those large number of excursionists who call go out to Portobello and Musselburgh when they get there?—For one thing, I do not think that nearly so many go since that change was made.

3602. Do you think that many go now?—I do not think so in proportion to the very large numbers who used to go when they could get liquors in the hotels.

3603. Have you any knowledge of your own as to the working of this alteration of the licensing system in Portobello and Musselburgh, both with regard to the excursionists who still go there, and the persons living in the places?—I have some personal knowledge, and I have had information from both the authorities and the inhabitants in those places, who ought to know pretty well how matters go on in that way.

3604. Do you think that there is no illicit drinking there on Sundays?—I do not by any means

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means say that, but I do not think it is to anything like the extent that it formerly was.

3605. By "formerly" do you mean before the passing of the Forbes Mackenzie Act or not?—Before the taking away of the hotel licences from those places where the mobs were entertained.

3606. As to the excursionists who have been deterred from going to Portobello and Musselburgh, what happens to them now?—I am not aware. There is no licensed house entitled to admit them.

3607. Do they take excursions to other places?—There are other places; for instance, across the Forth there is a place called Burntisland, which is about eight miles off, and I have no doubt that a good many people go there in fine weather.

3608. What is the condition of the licensing system there?—I cannot tell; I have not sufficient knowledge or information.

3609. That is in Fifeshire, is it not?—Yes.

Dr. Cameron.

3610. The excursionists who go to Burntisland can get drink on board the steamer, can they not?—Yes.

3611. So that they need not go to Burntisland for the purpose of getting drink, nor need they make themselves a nuisance by mobbing the hotels in Burntisland?—No, they need not.

Chairman.

3612. Are there many passengers by the steamer to Burntisland on Sundays?—A good many, I believe, in fine weather.

3613. Do you think that there is a good trade done in drink on board?—I have no doubt there will be.

3614. Have any remarks been made or steps taken by the Edinburgh authorities with regard to that trade?—I think they have had it before the presbyteries; at all events I know that it has been publicly talked of as a thing to be reprobated, and discontinued if possible.

3615. But no steps have been taken to discontinue it?—No, I do not think so.

3616. The steamer is a ferry-boat, is it not, perpetually going backwards and forwards?—Yes.

3617. Are there any other places to which excursionists go out from Edinburgh on Sundays?—I think I named Dalkeith, a place within six miles of Edinburgh; several people go there on Sunday and the vicinity.

3618. Can they get drink there?—There are hotels open there.

3619. Have you ever heard any complaints as to the abuse of the *bond fide* traveller permission there?—Not to anything like the extent that it was complained of in the other places.

3620. To any great extent?—No, I do not think so.

3621. Have persons been brought before the magistrates there for abusing the permission?—There have been cases; but that matter goes before the county authorities, and not the court with which I am connected.

3622. I suppose you cannot tell us whether in Portobello and Musselburgh, before the hotel licences were taken away, the magistrates were very strict in inflicting penalties on persons representing themselves as *bond fide* travellers who are not really so?—I do not think that they were

Chairman—continued.

strict enough; I think I mentioned my impression, that, as the law stands, as hotel-keeper is under no obligation to give shoals of people a quantity of whisky to drink on the plea that they are travellers.

3623. You have told us, I think, that the police under your command are in the habit of attempting to detect evasions of the law by walking about in plain clothes; do they often bring cases which they have detected in that way before the magistrates?—Yes, the cases are numerous.

3624. Have the magistrates ever shown any dislike to the system by refusing to convict?—None.

3625. Supposing a policeman in plain clothes were to go into a public-house to procure drink, pretending to be a *bond fide* traveller, would you bring the case before the magistrates?—No, certainly not; I would not sanction that for one moment.

3626. What is it that the police attempt to detect?—They get access to suspected houses and find persons in them, and it is on the evidence of those persons that convictions follow along with the evidence of the police. They search the houses, find liquor, and find persons, not the inmates of the house, in a state of intoxication, and sometimes in the act of drinking and where not so, which is often the case, the drink being removed before the officers get in, yet the parties make a statement which causes a complaint to be brought up and their evidence taken.

3627. Then the object of permitting the police to do duty in plain clothes is that they may be able to enter a house without being suspected?—Undoubtedly.

3628. Solely that?—Solely that, and there is great difficulty even with that.

Mr. Maurice Brooks.

3629. Do I read this Table (No. 5) right, that during the years 1852 and 1853 there were 644 persons arrested who were under the influence of drink on Sunday?—Yes; that is the yearly average for each of the two years of those who were drunk on Sunday.

3630. In the seven years ending 1869 the number of persons arrested under similar circumstances were 674?—Yes.

3631. Does not that show that a larger number of persons were arrested in the year ending 1869 than in the year ending 1853?—It shows, if you take the table altogether, a larger number at a very early hour on Sunday morning, but not throughout the day on Sunday. After midnight on Saturday the number is larger undoubtedly.

3632. Was not the number of persons arrested between midnight on Saturday and midnight on Sunday larger in 1869 than it was in 1853?—It was.

3633. And in the seven years ending 1876 the number of persons is larger than it was in 1853?—It is so.

3634. Am I right in saying that according to this table in the seven years ending 1861, the number of persons arrested as drunk were only 521?—That is the number.

3635. If a statement were made that the number of arrests for drunkenness on Sundays had decreased from 100 persons to 20 persons, or 80 per cent. in Edinburgh, that would be inaccurate?—When you say the number of arrests for drunkenness

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drunkenness, that includes persons guilty of various kinds of offences, but who were drunk when they committed them.

3636. Drunken persons arrested for offences of various kinds on Sundays?—Yes.

3637. You spoke of the satisfaction of the persons in Musselburgh and Portobello at the law which closes the public-houses; whose is the satisfaction; what class of persons are they?—The public generally; the respectable public.

3638. Speaking of the respectable public, do you mean those persons who have no need of houses of public entertainment?—A good many of them will be in that position undoubtedly.

3639. For instance, persons who live in villas?—Yes, in respectable private houses.

3640. Does their satisfaction arise from the prevention of Sunday trading?—No. As regards these places, Portobello and Musselburgh, before these hotel licences were taken away enormous numbers of persons of the lower orders were about the town in various stages of intoxication, and corresponding disorder prevailed throughout the whole Sunday. Since those places were shut up that has been very much diminished, and the quiet respectable people are pleased with the change.

3641. The decrease in the number of persons arrested being drunk on Sunday is but four, as you will find in the daily average?—That is the number apprehended for offences.

3642. They were drunk and arrested on Sunday, were they not?—If you look at the other table, of persons found incapable drunk there is a very large diminution on Sunday; we call these drunken cases also.

3643. Then the decrease in the number of persons arrested who were incapable drunk would be six?—No, it is very much larger, if you look at the first page, No. 1 Table.

3644. The decrease in the number of persons similarly circumstanced and so arrested would be six persons?—You are talking of the daily average; that was seven, and it is now one.

3645. The decrease in the daily average of the number of persons is six over the whole district?—Yes; in the daily average it is so.

3646. If the decrease in the number of persons so arrested has been six, how do you reconcile that with the statement that there were a vast number of persons incapable drunk over the whole Sunday?—I was talking of Portobello and Musselburgh, to which I thought you referred.

3647. Are they more drunken in Portobello and Musselburgh than they are in Edinburgh?—They were, while they were supplied with drink in those houses on the Sunday.

3648. The decrease in the average daily number of arrests on Sunday in the whole of Edinburgh, between 1853 and 1876, would be six persons?—Yes, the average daily number was seven, and it came down to one.

3649. Do I understand you to say that it is the opinion of the respectable classes in Edinburgh that excursionists who are three miles from home should not be treated as *bona fide* travellers, or permitted to enter houses of public entertainment and obtain refreshments?—That is my opinion.

3650. That is the reading of the law?—I so read it; in point of fact, that a person having an hotel licence shall not be allowed to convert it into a common public-house on Sunday, in 659.

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order that the persons you refer to may get glass after glass of whisky or beer, without any other kind of refreshment.

3651. I understand you, I think, to say that in Edinburgh you have about 26 policemen on the beats on Sunday?—It is so during the day, 26 constables in uniform on the beats. I have other men, detective officers and detective constables, doing duty in plain clothes. In Edinburgh the day force are altogether off duty one of the three Sundays, and they are off duty during the greater part of a second Sunday, and in that way there is the reduced number that I mentioned doing duty at one time.

3652. I understood you to say that you thought that, notwithstanding the returns in those tables, the consumption of strong drink on Sundays had not increased, except with the lowest classes?—That is my impression.

3653. What do you mean when you speak of the lowest classes; do you mean artisans and labouring men?—No, I rather mean the classes most likely to get into the hands of the police, the disorderly classes, the vagrant classes.

Mr. Meldrum.

3654. You were asked by the honourable Member for Dublin as to the large number of arrests for drunkenness on Sunday. I wish you would clearly convey to the Committee whether since the passing of the Forbes Mackenzie Act the number of arrests for being drunk and incapable on the licensed Sunday, that is, from 8 o'clock on Sunday morning to 8 o'clock on Monday morning, has increased or diminished?—Very much diminished; that is to say, the yearly average for 1852 and 1853 was 367; for the seven years ending 1859, the number was 43, and for the seven years ending with last year the number was 32; that is about one-seventh of what it was during the first period.

Dr. Cameron.

3655. Is not 8 o'clock the hour at which the public-houses open on Monday morning?—Yes.

3656. And on all the days in the week, is it not?—Yes, on all the days in the week.

3657. Therefore, the week's work of the public-house runs from 8 o'clock on Monday morning till 11 o'clock on Saturday night?—Yes.

Mr. Meldrum.

3658. The number of hours in the day during which public-houses are licensed to be open is calculated from 8 o'clock on one morning till 8 o'clock the next day; the licensing day commences at 8 o'clock in the morning all over Scotland?—Yes, and ends on week days at regards public-houses, at 11 o'clock at night.

3659. Do you ascribe the number of cases of arrest for being drunk and incapable more to the continuance of Saturday night drinking than anything else?—Undoubtedly, and I think the figures show that the bulk of them occur very soon after midnight of Saturday, or about the midnight of Saturday.

3660. For instance, in the year 1869 you state that the average number of arrests on Sunday, from 12 o'clock on Saturday night till 12 o'clock on Sunday night, was 165, whereas from 8 o'clock on Sunday morning till 8 o'clock on Monday morning they only amounted to 43?—Yes.

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3661. Have

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3661. Have the police, since the passing of the Forbes Mackenzie Act, found themselves unable to cope with the illicit sale of drink?—They have been able to cope with it to a large extent since the Act of 1862, and with the effect of largely reducing the number of shebeens which were previously in existence in Edinburgh. It is still a matter of considerable difficulty I may mention, for at these regular shebeens people are employed to watch the officers, and the door is kept on the chain; and it is understood to be the business of the people watching outside to know the police officers who are going about looking after the suspected places, and in that way it generally happens that before the officer gets access, any liquor that has been going has been removed and put aside.

3662. But practically speaking have the police been able to cope with those offences?—Yes, to a large extent; for instance, during the last seven years there have been 786 convictions of that nature, and as I mentioned before, the number of shebeens has been reduced from 242 in 1859, to 108 last year, and only 7 are regularly used throughout the week for such a purpose.

3663. Since the passing of the Forbes Mackenzie Act, have you found the number of shebeens to increase or diminish?—To diminish undoubtedly.

3664. Then the result of that Act has been to diminish the number of shebeens indubitably?—Very much.

3665. I understand you to say that you ascribe the drinking in shebeens very much to the fact that persons continue drinking immediately after public-houses are closed rather than to those going for drink first going to the shebeen?—I have no doubt that that is the case both the times that the persons are brought in; and my experience when the cases are tried in the police court, where I have to prosecute them, goes to confirm that view.

3666. Have you reason to fear, or have the police seen any sign of, the increase of private drinking on Sundays since the passing of that Act?—I am not aware that there is such an increase.

3667. As far as you are concerned, do you know whether there has been an increase or not?—I think there has not.

3668. May I ask your opinion of the benefits of the Forbes Mackenzie Act in Edinburgh?—I have no doubt that the benefits throughout the day on Sunday have been very great.

3669. Has it improved the social and moral condition of the people?—I think it has had that tendency undoubtedly.

3670. May I ask you, are the police in Edinburgh more strict now in the number of arrests made than they were previously?—I think we have had a uniform system throughout since the Acts came into operation.

3671. They are more strict now, are they not, than they were previously to 1862?—They have larger powers and there have been more convictions in consequence. In Glasgow, under their local Act, it is an offence, I understand, for a person to be found in one of these shebeens. We have not that power in Edinburgh. I may mention that some short time ago I drafted a clause intended for a local Act for Edinburgh, which is being got up, and which I think would be of great service in still further diminishing the number of shebeens. I have a copy of it

here (*delivering in the same*), but the principle which it goes upon is this, that the first time a conviction for shebeening, or selling liquor without a certificate, occurred, the owner of the premises should get notice of that conviction, and that if there was a second case in the same house, besides bringing into court the person committing the offence, he himself should be cited into the court, and heard if necessary; but that the judge, after a second conviction, should have power, in addition to the penalty under the Act, to order the premises to be shut up until the owner of the premises became bound in a bond of caution for the orderly and proper conduct of his house in future. Then if he did find a head of caution, and a third offence occurred during the currency of the bond, then the bond should be forfeited, and the house again shut up, unless he came under a still heavier bond. In that way I think a good deal could be done in still further dealing with shebeens. I would apply the same rule, and I drafted the clause so, to houses of ill-fame.

3672. Can you state from memory what the powers of the police are in dealing with these offences in Glasgow, they have larger powers of coping with those offences than in Edinburgh; could you point out the difference between the two?—There is the Glasgow Police Act of 1862, the 25 & 26 Vict. c. 204, s. 143, under which they have power to impose penalties upon persons found in a reputed shebeen, and the onus of proving, and satisfying the judge, that the persons are there for a lawful purpose is thrown upon them. We have not that power in Edinburgh. We have power under the Public-houses Act to have penalties imposed on persons found drunk or drinking in a shebeen; but it does not go beyond that, and for the reason I have mentioned, namely, the watching and keeping the door on the chain; it is very difficult to catch persons in the act of drinking. Of course if they got drunk they would be caught whether or no.

3673. Is that the only difference between the two cities, so far as you are aware?—That is the main difference in connection with this law.

3674. In the employment of detectives in plain clothes for watching these houses, do you find it necessary to change the men in different parts of the city?—Yes, they are frequently changed; both the men themselves are changed, and the districts in which they do duty. They take them in rotation, and there is a regular system of change in that way also.

3675. Do you put on men whose appearance is unknown to the persons who keep these houses from time to time?—So far as we can it is our object to do so.

3676. You were asked to give the Committee a portion of a return in the report of the Inland Revenue for March 1876, and that return compared the quantity of spirits consumed by persons in 1866, 1871, and 1878. Can you tell me what was the population of Scotland previously to 1866, say from 1851 to 1861?—By the census of 1861 the population of Edinburgh was returned as 168,121.

3677. Can you give me the population of Scotland?—No, I cannot.

3678. Are you aware that it was about two and half millions in 1851, and in 1853 there were 4,534,848 gallons of British spirits consumed in Scotland as against in 1866, 5,462,465 gallons?—I am not aware of that.

3679. Assuming

Mr. McEldon—continued.

3679. Assuming that in 1853, with a population of two and a half millions, there were 6,534,648 gallons of British spirits consumed in Scotland, and that in 1866, with a population of three and half millions, there were only 5,483,465, what argument do you think could be based upon the working of the Forbes Mackenzie Act within that period, seeing that in 1866, with a population of three and half millions, they consumed nearly a million less gallons of spirits than in 1853, with a population of two and half millions; if those figures are correct, would not that go to show that the Forbes Mackenzie Act had tended to diminish the quantity of spirits consumed rather than to increase it?—Undoubtedly it would on those assumptions; I may say at once that my attention was not specially directed to these particular points.

Mr. Sellison.

3680. Were you in office before the Forbes Mackenzie Act came into operation?—I was appointed head of the police in 1851, but I was previously second officer of police for several years; I joined the police force in 1837.

3681. You have a very long acquaintance therefore with the state of society in Edinburgh?—Yes, for 40 years.

3682. Do you think that Sunday closing has been productive of good to the social order and good conduct of the city?—I think it has.

3683. Do you think that the people of Edinburgh, who see it in operation in their midst every day, would wish it abolished?—They would be quite opposed to such abolition, I believe.

3684. Do you think it a success?—Undoubtedly; and so far as I have an opportunity of knowing, that is the general opinion.

3685. Are you aware that gentlemen who run in with a return ticket to see your city for an evening or two, come back and say they know all about it and that it is a failure; did you ever hear that?—I have heard such a remark.

3686. Coming from gentlemen who see into a millstone just from a couple of days' observation?—Yes, but I attach very little importance to them.

3687. However, have you read any of the evidence given to this Committee?—Yes, a part of it.

3688. Did you see the evidence given by the Dublin police officials?—I cannot say that I have read it. I did see it in the newspaper, and I just glanced over it.

3689. Did you see the dreadful apprehensions that they had about the frightful things that would happen if Sunday closing was carried out in Dublin?—I understand so.

3690. Did you laugh at them; did not you think it was very absurd?—Taking the Edinburgh experience, I would not entertain such apprehensions; but I do not know as to how those restrictions would work in Ireland.

3691. In this world of ours, is not one fact that a man has experienced worth 20 guesses, of course, supposing the circumstances being as nearly as possible identical?—I think so.

Mr. Maurice Brooks.

3692. You said, I think, that there were 750 travellers found in hotels in Edinburgh last Sunday?—About 750.

3693. Of whom 408 were residents in those hotels?—No, I mean 750 apart from the residents.

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dents; persons not living in the hotels, but who went there and got refreshments.

3694. If there were only 408 residents in the hotels, men, women, and children, what class of persons did the others consist of?—Of persons from the country districts. Large numbers come to attend the churches in Edinburgh on Sunday; and persons who have been brought up in Edinburgh, but living at a moderate distance, come in to see their parents, and go to church with them and see their acquaintances, and so on.

3695. Would you not include those in the class of excursionists?—They are so included.

3696. Is it harmful for persons of that class to obtain refreshment in hotels?—I think it is.

3697. And you would exclude labouring men and working men going three miles to Portobello? No, I would exclude none; but I do not think a man is a *bona fide* traveller who, for the purpose of getting drunk in Portobello, walks down there.

3698. But you say that persons who can afford to use an hotel, who do not frequent the public-house, are entitled to use the hotel, although they are not staying in it?—Those parties need the hotels in Portobello.

3699. You said just now that there are no hotels in Portobello?—They were done away with owing to the gross abuse in that way.

3700. Do the working men frequent those hotels on Sunday now?—They can.

3701. Do they?—There are hotels in Edinburgh where I would say working men are entertained, and get what they want.

3702. Are there any hotels which working men frequent in Edinburgh?—I think that there are one or two; two I can say I have no doubt about where a working man coming from the country can get refreshment, either eating or drinking, on Sunday having come from a distance, and having to go home after attending service, or whatever brought him to Edinburgh.

Dr. Cameron.

3703. As to the hotels, the sole license held by inn of all sorts is identical, is it not, with that held by hotels?—The same license.

3704. And the inns are open for the sale of liquor to *bona fide* travellers all through Scotland on Sunday, are they not?—Yes, the words of the certificate are "with the exception of refreshment to travellers or to persons requiring to lodge in the hotel."

3705. The right honourable Chairman has asked you whether you considered that the decreases in the number of arrests argued a diminution of Sunday drinking in private houses; the question, I presume, for the police, and which concerns the maintenance of order is, not the diminution of drinking or the increase of drinking, but the diminution of drunkenness or the increase of drunkenness?—Undoubtedly.

3706. And as to people being concealed, when drunk, in their own homes, can that apply to persons arrested for other crimes, and found to be under the influence of drink when arrested?—Persons may get drunk in their private houses, but unless they commit an offence, a breach of the peace, or something calling for police interference, the police know nothing about them.

3707. But persons who commit crimes are brought

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brought under the cognizance of the police, whether they like it or not?—Yes.

3708. And the number of such people has decreased very much since the passing of the *Forbes Mackenzie Act*?—Undoubtedly, throughout the day on Sunday.

3709. So that that argues that there is possibly a much smaller amount of drinking, private as well as public, in the criminal classes on Sunday?—I think the information which we have points in that direction.

3710. Although Edinburgh may not be exceptional, yet do you know anything about the experience of all Scotland in the matter of Sunday closing?—Not very much, but all that I do know goes very much to confirm what I have said as regards Edinburgh.

3711. You do not happen to have seen any statistics bearing upon the subject throughout Scotland?—I have glanced over several that have been sent to me, and I think they go to confirm the experience of Edinburgh.

Mr. Maurice Brooks.

3712. Are the railway refreshment rooms open on Sunday in Edinburgh?—We have refreshment rooms at each of the two stations, at what is called the Waverley Station of the North British Railway, and at the Caltonian Station at the west end of Princess-street.

3713. Are they open?—No; they have only public-house licenses.

3714. Are they open on Sundays?—No; no public-houses are allowed to be open on Sundays.

3715. Have you been on the Continent?—No, I have not.

Mr. Melden.

3716. Between 1866 and the present time, is it the fact that wages all over Scotland have increased very largely?—They have very much.

3717. Would not that account to some extent for the increased quantity of drink which is consumed, persons having a great deal more money now wherewith to buy drink?—I think so.

Chairman.

3718. I understood you to say in answer to the honourable Member for Glasgow just now, that you thought that the criminal class were less drunken on Sundays than they had been before; but the figures which you have given as would scarcely bear out that opinion, would they?—I confused it very much to after 8 o'clock on Sunday morning, that is to say, throughout the day on Sunday.

3719. Then that answer was with reference to the hours between 8 a.m. and 8 p.m.?—Principally.

3720. Because taking Sunday from 12 o'clock on Saturday night to 12 o'clock on Sunday night, it shows that there is an actual increase?—Yes, there is an increase.

3721. The figures in fact stand thus, that there was a yearly average of 644 persons drunk when apprehended for offences during the years 1852 and 1853, whereas during the seven years ending with 1876, there was a yearly average of 671 persons in the same condition?—Yes, and taking the two together, that undoubtedly shows that the number at an early hour on Sunday morning has increased considerably.

Dr. Cameron.

3722. The number of arrests at an early hour on Sunday morning is to be debited to the Saturday night's drinking, is it not?—Undoubtedly I think so; it begins in the public-house and ends in the shaboon.

Mr. Maurice Brooks.

3723. To the Saturday night's drinking, or to shaboon drinking between midnight and 8 o'clock on Sunday morning?—Yes, as I said, I believe that a certain proportion of the people who commence drinking in the public-house, when they are obliged to leave the public-house at 11 o'clock when the house is shut, go right to the unlicensed houses.

3724. Notwithstanding the efforts of the police, they find houses in which they can get drink?—There are such houses undoubtedly.

Tuesday, 10th April 1877.

MEMBERS PRESENT:

Sir Michael Hicks Beach.  
Mr. Maurice Brooks.  
Dr. Cameron.  
Colonel Cole.

Mr. Charles Lewis.  
Mr. Meldrum.  
Mr. Richard Smyth.

THE RIGHT HONOURABLE SIR MICHAEL HICKS BEACH, BART., IN THE CHAIR.

Mr. ALFRED JOHN LIST, called in; and Examined.

Chairman.

3725. You have for a long time been connected with the police service, have you not?—Yes, since the year 1828.

3726. You were, I think, a member of the London Metropolitan Police?—Yes, when it was organised in the year 1839. I went to Scotland in the year 1832 to organise and take charge of the East Lothian Constabulary, and in the year 1840 I organised the constabulary of the county of Edinburgh, and took charge of it, which office I hold at present as chief constable.

3727. Can you carry your mind back to the state of the licensing system in Scotland when you first went there?—Yes. The Act of Parliament applicable to Scotland was the House-Drummond Act; the 9th of Geo. 4, c. 58.

3728. Under that Act, I think, public-houses were open on Sundays after Divine service, and also in the evening?—Yes, after Divine service, and in the evenings.

3729. What is your recollection of the state of things under that law?—In East Lothian, being a large agricultural county, in the harvest time a large number of reapers (shearers), as we term them in Scotland, came from Ireland, before the reaping machines were introduced, and as the village of East Linton was the principal hiring place in the county, in consequence of the public-houses being open after Divine service, and in the evening on Sundays, the rioting and fighting was to such an extent, that on two occasions the aid of the cavalry from Piccadilly Barracks was required.

3730. Did that state of things correspond with anything that you had noticed in London?—It was very much like St. Giles's when the metropolitan police were first established in London, but a very short time after the rioting was suppressed in London.

3731. Since the Forbes Mackenzie Act has been in operation, what has been the state of things?—They have very much improved. The Forbes Mackenzie Act, as perhaps you are aware from some of the previous witnesses, had certain restrictions. There are three descriptions of certificates, first, the hotel certificate, then the public-house certificate, and lastly the

Chairman—continued.

grocers' certificate. For a hotel certificate in large towns, the applicants must have four sleeping apartments set aside exclusively for lodgers and travellers; in smaller towns, three bed rooms; and in still smaller, two.

3732. I wish particularly to direct your attention to two places in your county, Portobello and Musselburgh, on which the chief constable of the city of Edinburgh gave us some evidence; after the passing of the Forbes Mackenzie Act, the hotel licenses were obtained in both those towns, were they not?—Yes; in the year 1857, when the General Police Act came into operation in Scotland, the two burghs allied to, Portobello and Musselburgh, amalgamated their police with the county; hence they came under my charge. There were at that time three hotels in Portobello and two in Musselburgh.

3733. Can you mention the population of each of those burghs?—Yes; the burgh of Musselburgh, with a population of about 7,500 at that time had three hotels, of public-houses, 28, and of licensed grocers, 23. There is a difference between the certificates. The grocers' certificates only enables the holder to sell excisable liquor, not to be consumed on the premises, whereas the public-house certificate enables them to be consumed on the premises. Then, in Portobello, the population was 3,481; and at that time there were three hotels, 16 public-houses, and also 16 licensed grocers.

3734. The hotels in those places were allowed, were they not, to sell liquor on Sundays to travellers?—Yes, in consequence of the term "traveller." In the Forbes Mackenzie Act, the certificate bore "land-side traveller," but in the Public-house Amendment Act, subsequent to the Forbes Mackenzie Act, that is the Act of 1862, it merely mentions "travellers," and the difficulty was to define what a "traveller" was. In fact, we never had it defined; it entirely depended upon the view which the sheriff, or the magistrate, or the justice of the peace, took of the question which is brought before him. Some would consider that men walking a short distance were travellers; others would consider

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that they were not travellers, but pleasure seekers, and the difficulty was never settled, even in the superior courts.

3735. When those hotel licenses existed in those places, did persons come out there from Edinburgh?—A large number from Edinburgh and the adjacent places, there being a number of mining districts around Portobello, and also around Musselburgh, and in consequence of such collieries being near those places, the miners went to Portobello, and also to Musselburgh, and it became, in fact, I may say alarmingly disagreeable, for in the summer season, in some of the principal streets, these families who depended upon summer lodgers, in fact, could not get their houses let, and property became deteriorated in value very considerably. For three years it went on in the same way, until, upon the representation of the respectable part of the community, I brought it before the licensing magistrates at the annual licensing court. With great difficulty we got the hotel licenses revoked in Portobello first, and then, in the following year, in Musselburgh.

3736. In what year was that done?—Representations were made from May 1869 to 1872 in Portobello, and from 1870 to 1873 in Musselburgh; and from the police returns I find that in the three years, in Portobello, during the time the hotels were open, there were about 256 drunken and disorderly cases on the Sundays, and in the subsequent three years after they were closed the number came down to 32.

3737. What was the effect in Musselburgh?—Much about the same. In Musselburgh, in the three years previous there were 186, and in the subsequent three years there were 18.

3738. Which six years are those?—Those are the three years when the hotels had a license to sell on Sundays, and the subsequent three years after the licenses had been revoked by the magistrates, 1869 to 1871, and the subsequent three years, 1872 to 1874.

3739. The hotels still continue closed in both those places, do they not?—Yes.

3740. Are there any hotel licenses now, either in Musselburgh or Portobello?—None.

3741. Is there any public feeling in favour of hotel licenses being granted there?—Quite the reverse. In fact, I have received letters continually from the inhabitants of both places on the great advantage which has arisen in consequence of the hotel licenses being revoked.

3742. Do people still go to Musselburgh and Portobello from Edinburgh, or other places, on Sundays?—Not to such an extent as formerly; but at Portobello there is a pier and promenade, about three-quarters of a mile long, and upon which in summer time, in fine weather, the artisans and people from Edinburgh go down and enjoy themselves walking about it. In fact, in those days when the hotels had licenses, they required a large number of police on duty on Sundays, whereas now an ordinary constable is quite sufficient.

3743. How far would the artisans have to walk from the part of Edinburgh in which most of the artisans live to that pier at Portobello?—From Edinburgh it would be three and a half miles.

3744. When he has done that walk, am I to understand that he has no means whatever of

Chairman—continued.

getting any refreshment?—None whatever, excepting temperance drinks, such as soda water and ginger beer, they may get those. There is a restaurant at the end of the pier at Portobello, but it is not open on Sunday, because they have a license to sell excisable liquors, and it comes under the public-house class.

3745. You told us that fewer people go to those places on Sundays than was formerly the case; I think that your district entirely surrounds Edinburgh on the land side, does it not?—Yes.

3746. Where do the excursionists who used to go to Portobello and Musselburgh go to now?—I think from Granton to the county of Fife, Burntisland. They have a ferry-boat running morning and evening, and I think a great many, in consequence of the hotels being open there on Sunday, go across to Burntisland, and the consequence is that we have a very large number of drunken people at Granton Pier in the evening returning from Burntisland.

3747. Do you have to make many arrests there?—Occasionally.

3748. Have you any figures which would show us what the difference has been in the arrests at Granton Pier since the hotel licenses were taken away in Musselburgh and Portobello?—No, I have not; Burntisland being beyond my jurisdiction, I did not think it was necessary to keep any record, but I know that they are considerably increased to what they were at one time.

3749. Have you any knowledge of the increase of drunkenness on Sundays at Burntisland?—No, I have not; I could not venture an opinion upon that.

3750. Are there no hotels in your district in any place bordering on Edinburgh?—There are three at Dalkeith, seven miles from Edinburgh.

3751. What happens at Dalkeith on Sundays?—The landlords are so very averse that there are very few cases of complaint; in fact, generally they have a waiter at the door, and they question people rigidly on their application; I have never heard a complaint. I am justice of the peace fiscal for the county, as well as chief constable, and hence I prosecute the offences under the Public-houses Act; but I have never had occasion to prosecute more than one at Dalkeith. Then at Roslyn, which is seven miles from Edinburgh, there is one hotel, and that is so well conducted that there are no complaints there; and at Penicuik, about 10 miles from Edinburgh, there are two hotels, and they are in the same state.

3752. There is direct railway communication to all those places from Edinburgh, is there not?—Yes; in fact we have just 12 hotels in the whole county, in an area of nearly 400 square miles.

3753. Can you state some of the larger places in that return which you have in your head in which there are no hotels at all?—The first on the list is Borthwick, with a population of 2,159; there is no hotel, one public-house, two licensed grocers, and one porter and ale cellar. In Curriehing, with a population of 1,848, there is neither hotel, public-house, or licensed grocer. In Colinton, with a population of 3,544, there are eight public-houses and five licensed grocers.



## Chairman—continued.

In Dalkeith, with a population of 7,466, there are three hotels, 17 public-houses, 11 licensed grocers, and two licensed for the sale of ale and porter. In West Calder, with a large mining population, with those engaged in Young's (limited) paraffin oil works, amounting altogether to 7,850, there is no hotel; there are four public-houses, 13 licensed grocers, and one licensed place for the sale of ale and porter. In Mid-Calden, where they have a population of 4,334, there is one hotel, three public-houses, one licensed grocer, and one licensed porter and ale cellar.

3754. There is a very considerable consumption of spirits in Scotland, is there not?—I believe there is; I cannot say there is so much in the country as in the large towns.

3755. Do you think that people do not drink anything on Sundays?—They cannot get it in the villages where there is no hotel and no public-house open.

3756. What I want to find out is really what they do on Sundays; I suppose there are many persons who will drink in Scotland; where do they drink?—There may be private drinking in houses, but I am not aware of it to any extent; they may get spirits the night before, which I believe in some cases they do, and consume it at their own homes.

3757. You are not aware of any considerable number of illicit drinking houses in the country under your control?—I was afraid, after the hotel certificates were revoked, that we should have a class of illicit houses which are commonly called shebeens springing up, and we had one or two, but they were suppressed, and the keepers of them were convicted under the Public-house Amendment Act.

3758. The Act which would be applicable to shebeens in the county of Edinburgh is the same which is applicable to shebeens in the city of Glasgow, is it not?—Yes, the general Act of 1862, the Public-house Amendment Act.

3759. Excepting that in addition to the general Act, they have a special provision in Glasgow, have they not?—Yes.

3760. Have you found the want of any more stringent power than the general Act gives you in the county of Edinburgh?—No, I cannot say that I have.

3761. Under what powers were the magistrates of Portobello and Musselburgh able entirely to take away the hotel licenses in those towns; can you refer us to the Act?—They came up in the month of April to renew their certificates. As I before observed, there are three classes, the hotel, the public-house, and the licensed grocer, and the only way in which it was met was by the magistrates refusing to grant an hotel license. They gave them a public-house license if they chose, but they refused to give them an hotel license, hence they could not open their houses on Sundays.

3762. Then do I understand that the magistrates in Scotland are able, at their discretion, to refuse the renewal of a license?—Yes, they have the power.

3763. At their absolute discretion?—Quite so; and there was such a pressure brought upon the magistracy, both in Portobello and Musselburgh, that in fact they could not resist it.

3764. Are you acquainted with the provisions of the Bill which is now before this Committee?

0.59.

## Chairman—continued.

—I saw a copy of it this morning. I see it is for closing public-houses entirely on Sunday, but the second clause refers to certain Acts of Parliament, which I have not seen. I suppose that gives the privilege to hotel or innkeepers to be open on Sunday; in fact, I thought, when reading the Bill, that that was a defect; that if a measure of that kind was to be introduced, which I consider would be a great blessing for Ireland, there should be similar provisions to the Forbes Mackenzie Act with regard to what privileges hotels should have.

3765. Supposing it to be the fact, as it is, that there are more than 1,000 public-houses in the Dublin Metropolitan police district which would, under the provisions of the Bill as it now stands, be able to sell to land-fair travellers on Sundays, do you think that that would be a state of things which would be likely to bring out the same result as that which you attribute to the Forbes Mackenzie Act?—I think if it was changed to the Forbes Mackenzie Act it would have a beneficial result, but I do not see if they were to be allowed the privilege under the existing Act, to be open on Sundays, that that would cure the evil in Dublin.

3766. To put it in another way; supposing all those houses which you have named in your return, all the public-houses and spirit grocers, or the public-houses alone, were able to sell to land-fair travellers on Sunday in Scotland, as well as hotel keepers, do you think that that would be likely to have a satisfactory result?—I think it would; not under the existing law with such a large number of them, because you would have in Dublin a number of strangers from the surrounding districts, which would increase the number of people, particularly in the summer season, to a great extent in the city of Dublin, and hence you would have a larger amount of drunkenness, so that your present Act would not in any way suppress it.

3767. And you think that it would be necessary to adopt the Forbes Mackenzie Act, or something similar to it?—If you want to suppress the Sunday drinking, either adopt the Forbes Mackenzie Act or something similar to it, and close the hotel and the innkeeper to possess certain accommodation for travellers and for lodgers exclusively.

3768. And then allow him, and him only, to sell liquor on Sundays to travellers?—Yes, and to lodgers.

3769. And if he evades the law in the way that the hotel keepers at Portobello and Musselburgh did, you would take away his license altogether?—Just so.

## Mr. R. Sargh.

3770. I think I gathered from one of your answers that the magistrates in Scotland make a distinction between travellers and pleasure-seekers?—I say that it depends upon the view which the magistrate might take. If a magistrate has rather liberal views he may consider a man going only a mile a traveller, but if, on the other hand, he entertains different views, he may consider that he is not entitled to it; so that it entirely depends upon what view he takes of it.

3771. Supposing that he came to the conclusion that he was only a pleasure-seeker, he would

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would not regard him as a traveller at all?—No.

3772. You mentioned Roslyn; do many excursionists go from Edinburgh to Roslyn?—A great many; on account of its fine scenery large numbers go out there.

3773. Have people going to Roslyn the privilege of walking through the Hawthornden grounds on Sunday?—Not on Sunday.

3774. Yet still a good many excursionists go to Roslyn?—Yes; a good many go round about Hawthornden, but they do not go through the grounds.

3775. There is a great deal of Saturday night drinking in Scotland, is there not?—In the towns, but I cannot say that it is to a great extent in the country, because the houses are restricted in which they are allowed to be opened.

3776. Do you think that if the public-houses were available for travellers on Sunday there would be more use made of them than at present?—I think so, decidedly, and to a large extent.

3777. Do you mean to convey by that that persons now go on excursions in Scotland and do without drink, although the hotels are available, for them, who, if the public-houses were open, would take drink in them?—I think they would, because they would not be subject to questions being put to them.

3778. Those are the classes of people, I suppose, who would not think of going into the hotels?—Just so. In fact, to illustrate that, we have at Roslyn, as I stated, one inn and one public-house, and the innkeeper is a very rigid and strict man. There is an English Episcopal Church there, and numbers of people go from Edinburgh to Roslyn on Sunday to attend worship in that church, and they get refreshments in the inn, because they are in every sense of the word travellers; but in the case of artizans or labouring people applying at the house, he will not admit them.

Dr. Cameron.

3779. Did I rightly understand you to say, in reply to a question of the Right Honourable Chairman, that the number of arrests of drunken persons at Granton Pier had increased considerably since the closing of the houses at Musselburgh and Portobello?—No, I could not state with any accuracy the number at Granton, because no record of those coming across from Burntisland was kept.

3780. I understand that you have no figures to show that that is the case?—No, none.

3781. And you have never looked into the matter?—No; in consequence, as I before observed, of Burntisland being beyond my jurisdiction I have corresponded with the chief constable of Fife with regard to the amount of drunken people coming across in the ferry boat in the evening on Sundays giving us trouble, but we never make any arrests there.

3782. What I wish you to explain to the Committee is the marked difference which exists between the case of Granton and Burntisland and the other cases which you have mentioned of Dalkeith, Roslyn and Penicuik; is it not the fact that the magistrates have no control whatever over the license for the sale of drink on board the Sunday steamers?—The ferry boats

Dr. Cameron—continued.

from Granton to Burntisland do not sell spirits. I believe that the boats from Leith to Aberdeen did have the privilege of selling it, but I think last year it was taken from them; but from Granton Harbour to Burntisland on the ferry boats which are in connection with the North British Railway there is no excisable liquor on board.

3783. Since when?—There never had been. It is the liquor that they get at Burntisland which makes them drunk, and the persons that come across returning home give us trouble.

3784. There have been great complaints, have there not, as to the drunkenness on board some of the Sunday steamers?—Yes, at Leith there has been, in consequence of those boats going to Aberdeen.

3785. When you say that the license has been withdrawn from the steamers, by whom has that been done?—I understand that last year there was a prohibition issued that they would not allow the boats to have excisable liquors.

3786. Are you sure of that?—Whether it was done by the magistrates I cannot say, it not being in my jurisdiction.

3787. You are not aware then that as a matter of fact no certificate from the magistrates whatever is required for the grant of an excise license to the steamers?—They must have had a license for the sale of it, or else they would have been punished under the excise laws for selling it without a certificate.

3788. But they get a license, do they not, from the Excise without any certificate from the magistrates?—No, not for spirits; only table beer licenses.

3789. You are not sure about that, at all events?—No, I am not.

3790. If the public-houses in Dublin were all kept open for the accommodation of *board and bed* travellers it would be a difficult matter, would it not, for the police to see that they all confined themselves to supplying travellers?—I think there would be a large number of drunken incapables if they were all open on Sunday.

3791. But might not that difficulty be overcome by restricting the privilege of selling on Sunday to a certain proportion of the public-houses, or of the licensed houses?—I cannot see how you could restrict it without a legislative enactment. If you did that you would assimilate it to the Forbes Mackenzie Act.

3792. It would practically assimilate it to the Forbes Mackenzie Act, would it not, without the necessity of altering the Irish law altogether by introducing the three classes of licenses which prevail in Scotland?—You want to repeal those clauses in the existing Acts that give them power of selling, because then the Bill that you have brought in should have certain restrictions, certain classes of certificates, first, second, and third class certificates, in which they would have the privilege of applying to the magistrates for an hotel license.

3793. But you are aware, are you not, that there is no distinction between the hotel licenses and public-house licenses in Ireland?—So I understand since I have been here.

3794. What I wish your opinion on is this: whether it would not practically overcome all the difficulties if you were to prevent all the public-houses in Ireland from selling to any person unless

Dr. Cameron—continued.

less they got a special certificate enabling them to keep open on Sunday?—Exactly so.

3795. That would be a more feasible plan, would it not, than if they were to adopt the system which prevails in Scotland, of investing the magistrates who grant those certificates with an absolute discretionary power of granting, refusing, or renewing licenses?—Just so.

3796. That would practically meet all the difficulty in the case?—It would; but I believe that in some parts of Ireland there is some alteration in the law.

3797. The hotel keepers in Dalkreith, Rossllyn, and Pansnick, you have stated, are very particular; they will not sell liquor to any person who is intoxicated, I suppose?—No.

3798. They know perfectly well that if they did so that you would be down upon them, and prevent their getting a renewal of their license?—Yes, we keep a record of them; they are not allowed by the certificate that they hold, to supply persons under the influence of liquor.

3799. Have you any record of the number of arrests within your jurisdiction on Sunday as contrasted with week days?—No, I confine myself to those which I have given, for there are so very few in the county, in fact, they are very limited in number.

Mr. Maurice Brooks.

3800. Are you acquainted with Dublin?—No, I am not.

3801. Have you ever been there?—Yes, I have been in Dublin; but I have not paid much attention to the subject as regards Dublin; since this Committee sat I have read the evidence occasionally, and I rather differ with Captain Talbot with reference to the views which he took of Dublin.

3802. But you are not acquainted with it from personal experience as Captain Talbot is?—No, I am not.

3803. May I ask you if you are aware of any other place whose condition corresponds with the condition of Edinburgh and Glasgow, with regard to drunkenness, as you have described it in 1853?—I should think next to there would be Dundee, owing to the kind of population there.

3804. What do you say with regard to Dumbarton?—I differ as to Dumbarton; it is said that a large amount of drunkenness exists there, but I have heard that very lately refuted by the chief constable of the county.

3805. How about Paisley?—Paisley and Dundee are very much alike, I should think, with reference to the labouring class of people.

3806. Do you know if it is said that no such condition of drunkenness exists in any town out of Scotland as exists in the towns in Scotland?—No, I do not think that there is a larger amount of drunkenness upon the whole in Scotland than there is in England.

3807. Would you apply your Forbes Mackenzie Act to London?—I believe that the restrictions are such, from my experience of London, and the public-houses are generally so well conducted, and the habits of the people are so different in many respects, that I think the present Acts of Parliament in England are quite ample for the occasion.

3808. You mean that the Forbes Mackenzie 0.59.

Mr. M. Brooks—continued.

Act is unnecessary here?—Quite unnecessary.

3809. Do you think that it may not also be unnecessary in Dublin?—No, because it appears that the excess of drinking is much greater there than it is in England.

3810. Where does that appear?—I have heard it is universally remarked to be the case; I am not taking it from any statistics.

3811. Are there any figures which would justify such an assertion upon the people of Dublin?—It is only from report that I am speaking; I am not speaking from figures.

3812. Where is the report which indicates that the people of Dublin, or the people of Ireland, are less sober than those in Scotland?—Not upon the whole, but certain classes, in consequence of the facilities that they have of getting drink on Sunday.

3813. Are the facilities in Dublin for getting drink greater than those in London or other English towns?—I think so, from what is stated that there are a very large number of houses open on Sundays; I suppose that they are not restricted as to the hours of Divine service in Dublin as they are in London, where they are restricted to certain hours; but I am not aware how that is.

3814. Do you know whether the licensed houses in Dublin are open during the hours of Divine service?—I am not aware that they are.

3815. I understood you to say that at Rossllyn the respectable hotel keeper there, being very careful, only admits the respectable persons, who go out to Divine worship, to obtain refreshments in his house on Sunday?—The respectable persons who go to Divine worship; in fact, artisans and persons of the labouring class he will not let in.

3816. I understood you to say that a considerable number of respectable persons frequent his house on Sunday?—No; a great many go to Rossllyn on Sunday, but they do not frequent the house.

3817. Do I understand that the churchgoers are not admitted for refreshments?—The churchgoers are admitted. A number go from Edinburgh to the Episcopal Church, at Rossllyn, on Sunday, and they are admitted as travellers, and a few of the respectable people who walk out also; but as to the ordinary labourer and artisan he makes the distinction, he says, "You are pleasure seekers, and I will not let you in."

3818. Will you give the Committee an opinion as to the number of respectable churchgoers who obtain refreshments at that hotel on Sunday?—I cannot say as to the number, but there are several go out there; I am acquainted with the clergyman, and I know that there are a number of Edinburgh people who visit that church on Sunday.

3819. Are no complaints made by the artisan classes of the restrictive legislation which is applied to them as a class?—I have heard of none.

3820. Then the humbler classes there have no facilities for obtaining refreshment on Sunday?—None, unless they go to those places which are on the roadside, and of which there are several in the county, where they can procure

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soda water, and ginger beer, but not excisable liquor.

3821. Are there any other villages in the neighbourhood to which respectable persons may go and apply for refreshment?—Yes; Rosslyn, Penicuik, and Dalkeith are the principal places.

3822. And they suffer no inconvenience?—None.

3823. And you say they have ample facilities for getting refreshments in those villages?—Of the kind I have described; they have facilities of getting refreshments on the roadside in those places where soda water, and ginger beer, and biscuits, and refreshments of that class can be procured.

3824. I want to know if the churchgoers who go to Rosslyn can find other respectable hotel keepers who will supply them with luncheon?—There is only one hotel keeper in Rosslyn.

3825. How is it at Dalkeith?—The same.

3826. Would the hotel keeper refuse wine or refreshments to respectable people?—He would question them rigidly where they came from, and if they satisfied him that they had come a distance, from Edinburgh (Dalkeith being six miles from Edinburgh), he would give them refreshment.

3827. But he is too respectable to give it to working men?—He is very rigid. There is a waiter always at the door, and the door is kept closed; they knock for admission, and then they are questioned where they come from.

3828. Is that general with all hotels in the country?—Yes.

3829. Hawthornden is closed on Sunday, you say?—Yes.

3830. May I ask you why?—The family who reside there object to people going through on Sunday. Through the week they are admitted upon payment of 1s each, but on Sunday, the Colonel who has taken the house objects to people going through and disturbing him.

3831. Is there any other park or place of public resort in the neighbourhood to which the people may go?—There are populous villages in the country where they may go; for instance, to Mid-Caldor or to Currie, and in each place there is an hotel, but the same rule is observed there in regard to travellers.

3832. You mean with regard to the poor people?—Yes. In fact I may state that, under the last Act of Parliament, a person is liable to penalty for representing that he is a traveller, if he is not one. I have had many instances, as public prosecutor, in which I have obtained convictions against persons who represented themselves to be travellers, but in whose case it was discovered that they were not so, and that they lived in the village, and had deceived the landlord.

Dr. Cameron.

3833. The honourable Member for Dublin has asked you concerning the difference of treatment of rich people and poor people; can any hotel keeper refuse legally to give to one traveller what he gives to another, whether he be poor or rich?—It has often been said that they can compel a landlord to give them refreshment, but I am not aware of any existing law to compel a landlord to give refreshments to any person.

Dr. Cameron—continued.

3834. Is it not a condition of the certificate that he shall treat travellers of all classes alike?—Yes, all travellers or lodgers. Then the landlord says, "I do not consider you a traveller, therefore I refuse you," and there is no law to compel him.

3835. The considerations that guide a landlord in deciding whether a man is a traveller, or not a traveller, are not whether he belongs to one class of society or another, but whether he really is a traveller?—Yes, it is the appearance of the applicant, and the answers that he gives to questions that are put, and from those the landlord draws his inference.

Mr. Maurice Brooks.

3836. So that, in fact, the hotel keeper would not give a poor tramp beer?—I can answer that by saying that during the harvest there are a number of persons travelling through those parts where there are hotels, and they will not admit them, but they give them refreshment at the door, and the same is done to the poor.

3837. But carriage people can go inside?—As I answered the honourable Member for Glasgow, if the landlord is satisfied from their appearance and the answers which he receives, he admits them.

3838. If the weather was bad and the season inclement, do I understand that the poorest men would not be admitted to attain the shelter of this place of public entertainment which is open to the wealthy?—It depends upon the view that he took. He would know the consequences if the police walked in and found persons of that description, not travellers, and had taken them in he would be reported and would jeopardise his certificate, if a conviction had been obtained.

3839. But there is free access to persons of the wealthier class who are *bona fide* travellers to places of public entertainment where they can obtain refreshment?—I cannot say to the wealthy because, as I answered the Honourable Member for Glasgow it is from the appearance of the applicant, and the answers he receives to the questions which he puts to him that he decides.

3840. And to the respectably attired?—Yes, and to the respectably attired, if the questions put to them are satisfactorily answered.

3841. Is that what you mean by appearance?—Yes, and from their manner altogether.

3842. The working classes, you say, do not complain of that distinction?—I have never heard of any complaint.

3843. Besides Hawthornden can you inform the Committee if any other places of public resort are closed on Sunday?—No, no others, where they can go on Sunday.

3844. Are those that are open on a week day freely open on Sunday?—No, there are no other grounds accessible but Hawthornden to the general public, and that is only upon payment of a certain fee.

3845. Is there not near Edinburgh any other park open?—No, there are no other private properties in Midlothian that are accessible to the general public in the same way as Hawthornden.

3846. Is

Mr. Meldox.

3845. Is it the fact that the licensees which hotel keepers get bind them to provide entertainment for travellers generally?—Yes, for travellers and sojourners.

3847. In your experience of the inns throughout the country, is it a fact that they would refuse refreshment to a man in consequence of his being a poor man, and give it to another because he was in a better condition if he was a traveller?—As I have answered that question before, they would judge from the answers that he gave to the questions that the landlord puts, if he asked him as to where he came from.

3848. Assuming that he was a traveller, if there was no question as to the man being a traveller, would the innkeeper make any distinction according to whether he was a poor man or a well-to-do man?—He just puts the question to him first, or he will not know whether he is a traveller or not, and if he is satisfied he will make no distinction, he will admit him.

3849. In point of fact, are you aware of any complaint being made by the working classes against the Sunday closing law?—None whatever.

3850. If there was any distinction made between classes, such as the honourable Member for Dublin suggested, are you not of opinion that the working classes would cry out very strongly against that difference being made?—If the question was agitated in that way they might, but I am not at all aware that it has ever been entertained.

3851. Are you of opinion that such a practice does not exist?—That is my opinion.

3852. You mentioned some towns, with populations varying from 2,000 to 7,000 or 8,000 persons, where there are hotels open on Sundays;

Mr. Meldox—continued.

do you find that the hotel keepers conduct their business properly, and that they do not infringe the law?—I do.

3853. And that substantially the system works well?—It does.

3854. And there are no evil effects from having hotels in those places in the neighbourhood of large towns open on Sunday?—None whatever. In fact in West Calden, which has a very large population, a few years ago there was a probability of a man applying for an hotel license, and a large number of the working men at the Paraffin Oil Works came forward and requested that it should not be allowed; that it would cause great drunkenness in the village.

3855. But your experience as a police officer is that the Act works well?—Yes.

3856. And is not infringed by the hotel-keepers in the neighbourhood of those large towns?—Certainly not.

3857. You were asked by the honourable Member for Dublin about Hawthornside; is not that a private place?—It is a private place, but, as I have stated, they admit parties upon payment of 1s. to walk through the grounds.

3858. And it is only closed on Sundays, because the owner chooses to do it?—The present proprietor and the last proprietor have always kept it closed on Sundays.

3859. Did the former owner charge for admission on Sundays?—No. In the lifetime of Sir Francis Walker Drummond there was no charge made, but after his death there was a charge made.

3860. Was that on Sunday as well as other days?—No, it has never been opened on Sundays.

Mr. HENRY THYNNE, called in; and Examined.

Chairman.

Chairman—continued.

3861. WHAT position do you occupy?—I am Sub-inspector of Constabulary at Belfast.

3862. How long have you been there?—I have been five years in Belfast, and 17 years a sub-inspector.

3863. Where were you previously stationed?—At Queenstown.

3864. Can you state the area of the municipal district of Belfast?—It is about 10½ square miles.

3865. What is the population comprised in that area?—We estimate it at 210,000.

3866. What is the police force within that area?—The nominal force is 540, but there are generally about 15 or 20 vacancies; and there are 18 mounted men; so that in round numbers we have about 500 effective infantry men.

3867. Can you mention to the Committee the numbers of the different licensed houses?—Yes; we have 481 public-houses, 113 spirit grocers, and 120 beer retailers; but I may say that, of the spirit grocers, 96 have also beer licenses, and are included in the number of beer retailers; there are nine wholesale beer dealers, and no wine refreshment houses.

3868. How many publicans hold six-day licenses?—Forty-nine, and 47 hold six-day and early closing licenses.

O.S.

3869. What is the total number of licensed traders in Belfast?—Eight hundred and twenty-six, including wholesale beer dealers.

3870. Will you take this paper in your hand (*handing a paper to the Witness*), you see at the foot of it a return made by the Sunday Closing Association of the views of the licensed traders in Belfast upon the question of Sunday closing; will you give us the numbers of each?—I see that there are 232 for Sunday closing and 144 against it, making a total of 374, as against the total number of licensed houses, 826.

3871. We have had a good deal of evidence from Dublin with regard to the trade done by the spirit grocers, can you give us any information upon that head, with regard to Belfast?—The spirit grocers have very much improved since the Act of 1874; there is some tipping on the premises, but not much; there was more before the Act of 1874 passed, than since.

3872. What was the point on which the Act of 1874 put a stop to it?—Before 1874 a spirit grocer could get a new license without a certificate from the magistrates, although he required such a certificate before his license was renewed. This provision (35 & 36 Vict. c. 94, s. 82) was, however, in practice a dead letter, because if we opposed a renewal, the son or daughter, or some

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other

Mr. Lister.

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Mr. Flynn.  
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Chairman—continued.

other member of the family went to the Excise, who appear to have had no power to refuse them, and get a license. The law was very curious in that respect from 1872 to 1874; it required a spirit grocer to get the magistrates' certificate for a renewal but not for a new license; that was altered by the Act of 1874, and now if they do not conduct their houses well, we oppose the renewal of their licenses, and they are now better conducted. Before 1872 spirit grocers did not require a certificate from the magistrates for a renewal or for a new license.

3873. You have told me that there are 112 spirit grocers; how many of these should you say were well conducted?—One hundred and four, I should say that there are eight badly conducted.

3874. Are there any out of the whole number who have been convicted more than once?—Not within a year; there may be old convictions hanging over them which do not count.

3875. Do you think that the law is to any great extent evaded in these spirit grocers' houses by drinking on the premises?—Not to a great extent; I saw the evidence with regard to Dublin, but there is nothing in Belfast like the practice carried on there. Our spirit grocers have erected no screens for drinking purposes; there is some tipping, no doubt. When persons go and buy groceries they sometimes get a glass of whiskey and drink it on the premises, but this practice is not carried on to a large extent; there will always be tipping so long as spirit grocers can sell such small quantities of whiskey.

3876. What is the valuation of the houses in which that business is greatly carried on?—There are 28 under 10*l.* a year; 59 between 10*l.* and 20*l.*; 23 between 20*l.* and 50*l.*; and two 50*l.* and over.

3877. Do you think that there is much illicit drinking in Belfast in unlicensed houses?—There is some drinking but not very much. Belfast has very much improved in this regard since the passing of the Act of 1872; at present we suspect 28 houses. In Belfast we proceed under the new Act; the penalty is 50*l.* for the first offence; and the magistrates generally inflict a fine of 25*l.* or four months' imprisonment, in default. There are shebeens, no doubt, but they do not exist to a great extent.

3878. How many are known to the police in the whole of the town?—Twenty-eight.

3879. Looking to the question of illicit sale more particularly as regards illicit sales on Sundays, can you give the Committee any statistics on that point?—I can; I have a return here showing the number of parties summoned and the number of convictions and the fines imposed, on all the Sundays in the years from 1869 down to the present time.

3880. First will you give us the convictions in each of those years for the illicit sale of liquor in licensed houses on Sundays?—In the year 1869, there were 29 publicans convicted for sale on Sundays during prohibited hours; in 1870 there were 27; in 1871, 10; in 1872, 4; in 1873, 12; in 1874, 23; in 1875, 8.

3881. Did any of those persons who were so convicted hold six-day licenses only?—No; I have had no complaint whatever in Belfast

Chairman—continued.

against the holder of any six-day license for selling on Sundays since the Act passed.

3882. May we take it that all those convictions were of publicans or other licensed persons holding seven-day licenses, for sale during prohibited hours?—Yes, for sale during prohibited hours on Sundays.

3883. Can you tell us whether the hours during which such sales were made were generally before two o'clock in the afternoon or after nine at night?—They were compounded of both, I should say that the majority were before two o'clock.

3884. Can you give any reason for the considerable variation that there appears to be in the number of convictions in each of those years?—In 1874 the magistrates put on heavier fines, that made the publicans more cautious; the fines were heavier in 1874 than before, and that seemed to have the effect of diminishing the breaches of the law. The publicans are every day becoming better conducted than they were.

3885. Can you give us the number of convictions for sale in unlicensed houses on Sundays?—On the Sundays of 1869 there were 21 convictions; in 1870, 25; in 1871, 9; in 1872, 4; in 1873, 3; in 1874, 4; in 1875, 2, and 1876, 1.

3886. The number seems to have been gradually decreasing?—Yes, it has been gradually decreasing, and in that case in 1875, a fine of 50*l.* or six months' imprisonment was imposed.

3887. Do you think that the decrease in the number of convictions for illicit sale is due to stringency on the part of the magistrates?—I think it very much due to that; it is one of the causes and one of the principal causes of the diminution.

3888. Do the constabulary find any difficulty in detecting such cases?—There is a difficulty, but we overcome it. I may say that we are very strict about enforcing the licensing laws in Belfast; every man on his beat and every policeman in the town, looks after breaches of them, and in addition we have a number of men employed in plain clothes every Sunday in the year, and between the beatmen and the men in plain clothes, we are able to keep illicit drinking within bounds. We are not able to stamp out the shebeens, but we are able to keep them within reasonable bounds.

3889. Is every sub-constable in Belfast entrusted with the duty of enforcing the licensing laws?—He is.

3890. Has any evil been found to result from that?—None whatever.

3891. How many men do you employ in plain clothes for that purpose?—We have four districts in Belfast, and the number employed in each varies according to the requirements. There are always two in each district, sometimes there are four, and often more. The officer of the district fixes the number as he sees they are required, but he always has two. I may say that we do not employ men in plain clothes to go into a house and purchase drink, and then prosecute the owner, for selling drink to such constables, but we employ them in plain clothes to go in and see what is doing, and to prosecute them for selling to others.

3892. To watch them in fact?—Yes, and those men in plain clothes are changed every month; the

## Chairman—continued.

the same men are not so employed on consecutive months, so that the people are not able to know their appearance.

3893. Turning to the number of arrests for drunkenness, can you give us any statistics upon that point?—I have a return showing the number of arrests for drunkenness for the last seven years, and also the number of those which occurred on Sunday.

3894. Will you give us those figures?—In 1869, there were 9,339 altogether; and 476 on Sundays; in 1870, there were 8,776, and 439 on Sundays; in 1871, there were 8,011, and 399 on Sundays; in 1872, there were 7,376, and 418 on Sundays; in 1873, there were 6,638 and 464 on Sundays; in 1874, there were 7,104, and 376 on Sundays; in 1875, there were 7,539, and 445 on Sundays; and in 1876, there were 7,192, and 422 on Sundays.

3895. When did the Act shortening the hours of drinking on Sundays come into operation in Belfast?—In August 1872.

3896. Do you consider that it has had any effect in checking drunkenness?—I really think there was no appreciable effect one way or the other; the average number on Sundays seemed to be rather at a standstill, decreasing a little since the year 1869. Although the population is increasing rapidly, the arrests for drunkenness on Sundays is decreasing.

3897. You told us that at present the population is calculated at about 210,000, can you tell us what it was in 1869?—In 1871, it was 174,000; that would make it in 1869, in round numbers, about 160,000. I should say that it was 30,000 less than it is at present.

3898. Can you tell us what the total number of arrests for drunkenness in the year 1876 were upon Thursdays, Saturdays, and Sundays, respectively?—I can. On Thursdays there were 838, on Saturdays 1,042, and on Sundays 423.

3899. I suppose you count the Saturday as from 12 o'clock on Friday night?—Yes.

3900. The public-houses closing at 11 o'clock?—Yes.

3901. And the Sunday, I think, you calculate from 12 o'clock on Saturday night till 12 o'clock on Sunday night?—Yes.

3902. Out of these 1,942 persons arrested on Saturdays for drunkenness was a large proportion during the last few hours of Saturday?—Unquestionably a great proportion; the drinking on Saturday nights in Belfast is something frightful; they keep the public-houses open till the last moment, and the working classes make their marketing generally on Saturday nights, when they spend a great deal of their money in the public-houses, it is a most melancholy sight to see the working classes going home after the public-houses are closed on Saturday; even the arrests are no index to the extent of the drinking that goes on, because, for every man arrested, hundreds go home in a half-drunken state, and the police do not interfere with them if they can get them to go home; the drinking on Saturday night is very bad indeed.

3903. Do you think it would be possible to shorten the hours of opening public-houses on Saturday night?—Not alone possible, but I think it most advisable; I would shorten the hours considerably on Saturday; I would say that they should close at nine o'clock at the furthest, &c.

## Chairman—continued.

Mr. Thynne.

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but I would be more inclined to my eight o'clock; I think one of the greatest boons that you could confer upon the working classes of Belfast would be to close the public-houses early on Saturday night.

3904. Would not that interfere very much with the convenience of marketing and so on?—It would have the effect of causing them to make their markets earlier, but that would be a very good thing to effect, because they put it off to the last moment. The butchers' shops and provision shops are open till 12 o'clock at night in North-street, Hercules-street, &c.; and it is when going to buy their week's provisions that they spend so much of their money in the public-houses; I would strongly advocate shutting earlier on Saturdays.

3905. Is there much drinking, do you think, going on after the public-houses are legally closed at 11 o'clock?—There is not much drinking, there is some; that is the time that the drinking goes on in the shambles. Practically speaking the drinking is stopped when the public-houses are closed; there is some afterwards, many of the half-drunken fellows that come out of the public-houses will try and get more in the shambles.

3906. Were the 423 who were arrested upon Sundays in 1876, arrested between 12 o'clock on Saturday nights, and eight o'clock on Sunday morning?—I cannot tell you that exactly, but for the last four months I got at the police office a return made of the per-centages of arrests for drunkenness on Sundays during the four months of December 1876, and January, February, and March 1877, ended the 31st of March; from 12 o'clock at midnight till six o'clock in the morning I find that they amount to 49 per cent; from six o'clock on Sunday morning to two o'clock p.m., 8 per cent; from two o'clock to nine o'clock, when the public-houses are open 25 per cent., and after the public-houses are shut from nine o'clock to midnight, 18 per cent. That, I fancy, would be about the average all the year round, it was made out by taking the hours that the parties were brought to the police office during the past four months.

3907. Do you think that the great evil of drinking in Belfast is on Saturday nights rather than on Sunday?—Unquestionably. The fact is, our Sunday is a very orderly day in Belfast. You seldom see any drunken people in the streets; a few may be heading about some of the back lanes from Saturday night, but it is a rare thing to see a drunken man, and the arrests are very few compared with those on other days of the week, especially with those on Saturday.

3908. I think Belfast is divided into four sub-inspectors' districts, is it not?—Yes.

3909. What is the class of the population in the district to which you belong?—It is a mixed population; a large proportion of it is occupied by the working classes, some of it by the respectable classes, and some by business people. I have a mixture of all classes in my district.

3910. Are they entirely a Protestant population or Roman Catholic?—One portion is exclusively Protestant, and the other is very Catholic.

3911. What is the working-class population?—It is more Protestant.

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3912. What

Mr. TAYLOR.

Chairman—continued.

Chairman—continued.

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3912. What do you conceive to be the views of the people in your district upon the question of total closing on Sundays?—If you ask me the views generally, I say that the Protestants are in favour of Sunday closing. All employers of labour, the merchants, and the wealthy people generally, are for closing on Sundays. The persons who use the public-houses are divided in opinion; some are for closing, and some not; if my district were polled I would say that the majority of all classes would say close them; and I would say even the majority of the working classes; there is a very strong Presbyterian element in the district; and they are much inclined to close on Sundays.

3913. In your district do you think there would be a considerable minority against Sunday closing?—A very large one; there would be thousands against, I know; but there would also be thousands for it.

3914. Have you been present at any meetings that have been held upon the subject?—I was present at a meeting held a few nights ago in the Ulster Hall, which was presided over by the Mayor of Belfast; there were two Members of Parliament there, and it was a respectable meeting.

3915. Was it a crowded meeting?—No; I estimated the number at 1,000 people.

3916. How many do you think the Ulster Hall would hold?—I should say about 3,000, in round numbers; it was not half full; I could put twice as many more people into it.

3917. What class of society was the meeting composed of?—The respectable class; there were some working men there, but it was not what could be called a working man's meeting; there were as many ladies as men there.

3918. Was the meeting in favour of Sunday closing?—Completely; it was unanimous.

3919. Have you been present at any meeting held on the opposite side?—No, I have not. I do not know of any such having been held, unless you count the meetings of the Licensed Vintners' Association; there have been no large meetings; and, in fact, there has been no meeting on the one side or the other representing the working classes of Belfast upon the question.

3920. Supposing that the public-houses in your district were totally closed on Sundays, do you think that you would have any difficulty in enforcing the law?—I think I would; at present we can barely enforce the law against shebeens; our powers are not enough; and if we closed altogether on Sundays we certainly would require additional powers. There would be an immense deal of harm done in the shape of illicit drinking if we did not get a considerable increase of our powers. We can at present barely keep it within bounds.

3921. What kind of increase to your powers do you think you would require?—I would hesitate to ask for powers which could not reasonably be granted; there is, however, one great defect in the law which might be remedied. If a policeman in plain clothes or on his beat enters a shebeen and finds drink, or people drinking, he is almost powerless; he can neither seize the drink nor arrest any drunken or tippling persons that he sees on the premises; in

fact, he must walk out when the owner tells him to do so, or he is a trespasser. I think we might reasonably ask that, if a policeman enters a shebeen and sees the law broken before his face, he should have the same power of enforcing the law as if he entered with a warrant; he should have the power of seizing the drink and demanding the names of the parties whom he finds on the premises. This is not a new principle in law, it is carried out in the Illicit Distillation Act. Under the Illicit Distillation Act, the 1st & 2nd of Will. 4, c. 55, if an Excise officer or a policeman wants to go into a private house to search for illicit whiskey, or for a still, he must in general get a warrant under Section 17; but if he enters on his own responsibility without such warrant, and finds illicit matter, that finding is a justification for his entrance, and Section 18 then gives him the same power of acting as if he entered with a warrant. The words of the section are "such finding shall be a full justification for such breaking or forcible entry." I think it is but reasonable to ask that we should have the same power to put down shebeens, as now exist with regard to the suppression of illicit distillation; that is to say, if a policeman managed to get in and found the law being broken, such finding should be a justification of his entry.

3922. What do you mean by the policeman seeing a sale take place, and not merely seeing a stock of liquor on the premises?—Seeing a state of things that would insure a conviction if he had entered with a warrant; that is, finding persons drinking or tipping, or having the appearance of having been recently tipping or drinking. A positive sale can never be shown, because money will not pass before the face of a policeman. Yet other sufficient proof to get a conviction, can often be obtained. I think if the 18th section of 1 & 2 Will. 4, c. 35, was made applicable to shebeens it would strengthen our hands very much; I also think that we might get the power that the Glasgow police now have. It appears that in Glasgow certain grades of the service can enter all eating-houses, ships, toll-booths, or houses in which they have reason to believe that excisable liquors of any kind are being unlawfully trafficked in.

3923. We are dealing now with houses that are not in any way licensed, namely, with shebeens?—The Glasgow Act applies to such; most of the suspected houses are not licensed in any way. The chief constable, superintendent, lieutenant, or inspector of police at any time can enter, at his own discretion, into those houses, but if he wants a subordinate to enter, he must give him an authority in writing, and that authority lasts but for eight days. I think the same powers might suitably be given to the Royal Irish Constabulary; that is, to make it lawful for the sub-inspector or the head constable to enter at any time all suspected houses, but if they wanted to deputise the duty to a constable or sub-constable, they should give an order in writing to that effect at the same time that it lasts at Glasgow, namely, eight days. I think, if we had those powers we would have more control over the shebeens.

3924. Would you have any difficulty, do you think, in checking illicit sale in licensed houses



## Chairman—continued.

on Sunday?—As a rule, the publicans are a very well-conducted body of men, but there are some of them who will try and sell liquor whenever they can, but they are few in number. I know that it is very hard to keep men from getting drunk.

3925. Supposing that all the 681 public-houses in Belfast were allowed to sell on Sunday to *bona fide* travellers, what do you think would be the effect of that?—I think it would be almost as well to let them be open as to do that. The law would be broken everywhere; everybody would be a *bona fide* traveller in the eyes of some of the publicans.

3926. What remedy would you suggest for that?—In Scotland they have a great pull over us in this respect. They have two classes of licenses, hotel licenses and public-house licenses. We have not; for in Ireland a public-house and an hotel are the same in the eyes of the law. To come as near the Scotch law as possible would be the right direction to move in; I would suggest that the licensing authority be empowered to license certain houses which sell estates for the accommodation of *bona fide* travellers. I think a discretionary power might safely be left in the hands of the licensing authority to license houses especially adapted for supplying the wants of *bona fide* travellers.

3927. Of course, the more stringent the law is as against the sale by licensed persons, the greater the danger of a sale by persons holding no licenses at all?—Unquestionably, and therefore it would be very desirable that some respectable places should be licensed for the sale of drink.

3928. You think that you could check illicit sale altogether if you had the powers which you have suggested to us?—I say that we could not check it altogether; but I believe that if you closed the public-houses on Sunday, gave us the power as I ask for, and repealed the *bona fide* traveller clause, we should be able to keep the illicit traffic within bounds, but we could not stamp it out.

3929. You are acquainted with the people at Belfast are you not?—I am.

3930. Are there many excursions from Belfast on Sundays?—Very few. The fact is, that Sunday is very strictly observed in Belfast, and there are no facilities, or very few, given by the railway companies, or any of the public bodies, for the recreation of the people on Sunday; even the trams are not allowed to run on Sundays in Belfast.

3931. You mean that it is observed like the Scotch Sabbath?—It is very like Scotland. The only thing that people do is either to go to church or take a walk. There are two boats on the river in summer, which go for a few months to Bangor, and are very much crowded on fine Sundays; but as a rule, the people of Belfast do not go on excursions on Sundays. They observe the Sabbath very strictly; what they generally do is to walk in the suburbs. On a fine Sunday you see thousands of people walking out in the suburbs. They leave home after their dinner, about two o'clock, and return about six or half-past six, in time to go to evening service; all the well-to-do mechanics and shop-assistants do that.

## Chairman—continued.

3932. Do they use public-houses on Sunday afternoon?—They do in large numbers, but with the greatest moderation; many of those people before they come back, take their glass of beer in a public-house, but they do not abuse the privilege.

3933. But if the public-houses were totally closed, they would not be able to have that moderate enjoyment?—No, they would not; and I know there would be thousands who would be very much dissatisfied; and many of them might be tempted to go to the shebeens to get a drink.

3934. What do you think would be the effect of merely shortening the hours during which the public-houses are opened on Sundays, in the municipal district of Belfast, and closing them totally outside it?—I do not think it would have much effect in any way, because there are no large towns near Belfast; Holywood, and the other adjacent places are not very large, and the people would never think of coming into Belfast for the sake of getting drink; I do not think it would have any bad effect.

3935. It would avoid, would it not, the risk of illicit sale in Belfast?—It would.

3936. Supposing a limitation were adopted instead of total closing, what hour would you suggest?—I would say that they should be open from two to six; the reason I say six is because almost all of the respectable classes in Belfast of all denominations go to prayers on Sunday evening, and anything that would tend to keep them away would, I think, have a bad effect. The houses should not be open for half-an-hour before service begins. I think that if they were open from two to six it would have a far better effect than closing altogether.

## Dr. Casaroe.

3937. You said that if the public-houses, in the districts to which those excursionists go, were closed they might be tempted to go to shebeens, how would they find out the shebeens?—I mean shebeens in Belfast; they do not go to towns; they merely walk in the suburbs and the streets of Belfast, and the immediate neighbourhood. It is in Belfast that they use the public-houses.

3938. In any case the police would be better acquainted with the shebeens, would they not, than the mere strolling citizens who go out for a walk?—No doubt the police would know them.

3939. If you had sufficient power to do so, you would have, I presume, no difficulty in dealing with them?—The shebeens change very much; a shebeen of to-day for which we get a warrant is not likely to be a shebeen this day month.

3940. And therefore it would be an extremely difficult matter for a respectable citizen to know where to get at a shebeen?—When they come back to their own neighbourhood they would manage to get drink somewhere. I am afraid that if you close the public-houses altogether on Sunday, you would have parties joining together and laying in a supply of drink for consumption on Sunday.

3941. If they wish to get drink, why should they

Mr. Thorne.

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Mr. Tiggan.

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Dr. Cameron—continued.

they not get it by buying on the Saturday?—I think that a great many of the persons that take their glass of beer on Sunday would not, if they bought it on Saturday, have the self-control to hold it over. It would never see the Sunday morning; they would drink it on Saturday night. Besides draught beer or porter does not keep.

3943. Do the tobacconists keep open on Sunday in Belfast?—Some few of them do; they are allowed to keep open, and some of them do keep open.

3943. In Dublin, I believe, it is an universal practice; do you know anything about that?—You see large and respectable cigar shops in Dublin open on Sunday, and it is the practice there, I believe.

3944. I presume it would inconvenience the people if these cigar shops were shut up even for a short time?—No doubt it would.

3945. But in the course of a short time smokers would get accustomed to make the same provision for their smoke as they do for their dinner?—If they had not the tobacconists' shops open on Sunday in Belfast, they would find some means of making a provision for their smoke.

3946. They would get it on Saturday, would they not?—No doubt they might do that.

3947. Why should they not get their drink in the same way?—They might do so, possibly, but there are now a sufficient number of tobacconists' shops open on Sundays to let them get their tobacco on Sunday.

Mr. Maurice Brasis.

3948. Tobacco is not injured by keeping from Saturday to Sunday?—No, it is not.

3949. You said that you had read the evidence given by Captain Talbot, and others, of Dublin, may I ask you whether you have read an authentic copy of the evidence or have you read it simply in the newspapers?—I merely read the newspaper accounts.

3950. Is there any hawking of spirits, in Belfast, do you know?—There has lately come to my knowledge a practice of this description; I may say that we are very strict in enforcing the licensing laws, and the shebeen-keepers are afraid of the big penalties, and try to escape them. The practice to which I refer is this: if you want drink during prohibited hours, you will not go to a spirit grocer or to a public-house, as they would be afraid to open, but you send word that "John Smith wants a bottle of whiskey at number so-and-so," and in about 10 or 15 minutes afterwards the owner of this low public-house or spirit grocer will be seen walking down the street with a bottle of whiskey in his pocket, and he will walk in to the house and leave it there. We cannot stop a man in the streets and search him, we have no such power. Such a practice is springing up now, and I am afraid that it is likely to increase.

3951. If the public-houses were closed altogether on Sunday in Belfast, have you any doubt that it would increase?—I have no doubt whatever but that it will increase.

Dr. Cameron.

3952. Is that illegal now?—If you could prove that the man got money for the drink it would be illegal; but, from the pretensions taken, it is difficult to prove that.

3953. Would it be illegal?—Yes, it would be in forbidden hours.

Mr. Maurice Brasis.

3954. A shebeen, so called, is not a shop fitted up like any other shop?—No.

3955. It is usually a tenement of some dissolute person who moves about from place to place?—It is, and shebeens are very often kept by women.

3956. So that when you say you know of the existence of a given number of shebeens, do you mean that you know certain shebeen house-keepers who move from place to place, or do you refer to regular establishments?—The parties that we suspect would supply drink. Our mode of procedure is this; as soon as a policeman suspects that a house is a shebeen, he obtains information, gets a warrant, and watches the house till he gets an opportunity of finding something that would sustain a case against the shebeen-keeper. He usually waits till he thinks he will find persons drinking on the premises.

3957. Are these shebeens sometimes upper rooms?—Not often. The houses in Belfast are not so large as in other towns; they are comfortable, small houses; but there are sometimes two or three families in them.

3958. Have you more difficulty with the shebeens if there are several families in a house than you would have in a house in which there were not several stories?—There is more difficulty certainly. The fact is, that shebeens never lay in a large quantity of drink. Our seizures are generally small; a couple of quarts of whiskey perhaps, or a few dozen bottles of porter and beer; but the quantities are never large. When we find such liquor we prosecute everybody found on the premises for illegally dealing in intoxicating liquors.

Mr. Mellon.

3959. In dealing with offences against the licensing laws in Belfast, have you found any difficulty in consequence of it not being now an offence to keep liquor for sale?—No. We always proceed against a shebeen-keeper for a sale; and having regard to the 62nd Section of the 1859 Act, we prove a sale. The 62nd Section makes any transaction in the nature of a sale, or consumption, or any intended consumption of intoxicating liquor, evidence of a sale.

3960. Under the same section which provides the 40 s. penalty, the keeping for sale is an offence?—Yes.

3961. And it is very much easier to prove the offence of keeping for sale than actual sale; is that not so?—That is so.

3962. If there were a severer penalty for that offence of keeping for sale, would it not increase your power of getting convictions?—It would be a very good thing to include keeping for sale amongst the offences named in the 3rd Section of the Act of 1872, because some magistrates may  
act

Mr. Meillon—continued.

not be inclined to convict under that section as it now stands.

3963. Do the magistrates of Belfast require strict evidence of sales, or do they convict easily under that section?—They require strict evidence inasmuch as the penalties are severe; there are four persons, two of whom are women, at present each undergoing four months' imprisonment in Belfast Gaol for keeping shebeens. I think that it would be very desirable to add keeping for sale to the offences named in the 3rd section.

3964. I understood you to say that, since the magistrates became more severe in inflicting penalties, the offences have decreased?—The offences have decreased, and other means of selling whiskey have risen up, such as the one I have described.

3965. You think that the infliction of a severe penalty has been beneficial rather than otherwise?—Unquestionably. I think that one severe example made is better than 50 40s. fines; a 40s. fine is of no use to put down shebeens, shebeen keepers think nothing of it.

3966. Did you read the evidence of Mr. McCall, the chief constable of Glasgow?—I did in the papers.

3967. Did you read in his evidence the beneficial results that have ensued from taking very severe action against small shebeen keepers; he mentioned one case in which there were a large number, 60 or more persons, arrested for drinking on one occasion in a shebeen house, and the result was that two or three cases of that kind put an end to the shebeens to a very great extent?—I can easily fancy so, but I do not remember the evidence.

3968. Do you not think if there was Sunday closing, and a very strict example was made of a few persons, it would tend very much to put an end to this habit of shebeering?—No doubt it would tend towards it, but I do not think it would absolutely put an end to it.

3969. Is there any reason why the constabulary in Ireland cannot deal quite so effectively with offences against the Licensing Acts as is done in Scotland?—None whatever.

3970. With equal power you could do the work quite as well?—Certainly.

3971. Is it not your opinion that the difficulty of publicans and persons licensed knowing who *bona fide* travellers were, would to a very great extent prevent the opening of houses at all for giving refreshments to travellers?—I think they still would open in many cases.

3972. If a large number of persons applied to respectable publicans in Belfast for drink, do not you think that the difficulty of discriminating who were entitled to drink and who were not, and thereby making themselves liable to prosecution, would deter them substantially from opening their places?—I do not think it would, because Belfast is a large place, and if you walk three miles you are a *bona fide* traveller. You have only to go from one end of the town to the other to become one; and at present there is just outside the borough boundary a place called "Molly Ward's," it is three miles off, and if persons want drink, and have a difficulty in getting it in Belfast, they have only to go to Molly Ward's to get it.

3973. I do not think you are quite correct in 0.59.

Mr. Meillon—continued.

saying that a person who travels three miles is a *bona fide* traveller?—If you can prove that he went for the purpose of getting drink he would not, but that is almost impossible to show.

3974. I think the law is, that no person who does not travel three miles is a *bona fide* traveller, but still it throws upon the person selling the drink the duty of only serving it to a *bona fide* traveller; but in your opinion the difficulty of knowing who are entitled and who are not, would not have any effect?—It would have some effect, but not the entire effect.

3975. Is it not your experience that the shebeen keepers do most business just when the public-houses close, and that it is more a continuance of drinking which had taken place at the public-houses?—It is more a continuance of drinking, because after the public-houses close on Saturday night the people go to the shebeens. It is on Saturday night and Sunday morning that the shebeens do most harm.

3976. Should I be right in supposing that the shebeens do a greater business early on Sunday mornings than in any other portion of the day?—Yes, you would.

3977. Would there be any difficulty in keeping the peace in Belfast if a Sunday Closing Act were introduced; have you any fear of riot?—Not on Sundays; Sunday is not one of our riotous days in Belfast, in fact it is by far the most orderly day of the whole week?

3978. Are the police that you employ in plain clothes, for the purpose of detecting these offences, looked upon as informers by the people; are they made more unpopular than they would be in the discharge of their other duties?—No, they are not; in fact, the men are changed so often, that most of the steady men in the force get their turn at it from time to time.

3979. I understand that all your constables on their beat have power to enter public-houses to see that there is no breach of the law?—Yes.

3980. And you do not find that that as a system works badly?—No, I do not.

3981. Do you find that the employment of constables in plain clothes is actually necessary for repressing this practice?—It is absolutely necessary. If we did not so employ them we should have far more drinking in unlicensed houses.

3982. Then you do not agree with Captain Talbot, who stated that the police employed on that duty would be looked upon as informers, and made very unpopular with the people?—I do not know what might be the case in Dublin, but my experience, as far as Belfast is concerned, is quite the reverse.

Mr. Richard Smyth.

3983. You have stated that the arrests on Sunday mornings from 12 o'clock to six o'clock were 49 per cent. of the whole; I suppose that you would ascribe the drunkenness that is detected between those hours rather to Saturday drinking than to Sunday drinking?—Decidedly.

3984. Then from six o'clock on Sunday morning till two there are only eight per cent. of the arrests?—That is all.

3985. To what do you ascribe the drinking, the result of which you detect in that shebeering?

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Mr. Thynne.

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Mr. Tlague

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Mr. R. Smyth—continued.

ing?—It is so small that it might arise from any cause you like.

3985. Perhaps it might, between six and seven in the morning, be the result of the Saturday drinking?—It might.

3987. From two o'clock till 12 on Sunday you have 43 per cent. of the whole arrests?—Yes, you have.

3988. Is that really the result of *hard jole* Sunday drinking?—That is *hard jole* Sunday drinking.

3989. I suppose a good many men who are drunk, or nearly drunk, are consigned at by the police not only on Sunday but on other days?—Yes; if the police see half drunken people inclined to go home they never interfere with them; but a half drunken man has a far better chance of getting off on a weekday than on Sunday, because on Sunday if he is half drunk he immediately attracts attention; he is so different from other people that he is sure to be picked up.

3990. So that your statement, that Sunday drinking has never prevailed in Belfast to excess, would be quite consistent with these statements that have been publicly made by employers of labour, that their workmen on Monday morning are very frequently, to a large extent, unfit for work?—I do not think that it is quite inconsistent with it; it does not altogether tally, as workmen may drink on Monday morning too, and no doubt they do; if a man has been drinking hard on Saturday night, he may feel the effects on Monday morning more than on Sunday; Saturday night is the great time for drinking in Belfast.

3991. Do they drink a glass of beer when they go out for a walk, and then go off home; is that the practice in Belfast?—Beer drinking is increasing; I believe they very often do so; many of these respectable men take their glass of beer and go home after it.

3992. Supposing that the public-houses were

Mr. R. Smyth—continued.

closed from two o'clock till nine, or from two o'clock till 12, would you expect a larger number of arrests in proportion from two till 12 than you now have from six till two on Sunday; there are only eight per cent. arrested now during the prohibited hours, but supposing all the hours were prohibited, do you think that there would be a larger proportion of arrests than you have now during the prohibited hours?—I do not think I would have a larger proportion during the prohibited hours.

Chairman.

3993. You gave the Committee some statistics as to the relative arrests for drunkenness on Sundays, Thursdays, and Saturdays will you add to that evidence the fact which appears by that return (*According a paper to the Witness*)?—This is a return of the average number of arrests on all the days of the week, first for the six months ending the 16th of February 1872, and for the corresponding months of 1877. In 1872 there were on Sunday, 9; on Monday, 15; on Tuesday, 14; on Wednesday, 15; on Thursday, 12; on Friday, 17; and on Saturday, 28. In 1877 there were on Sunday, 8; on Monday, 19; on Tuesday, 18; on Wednesday, 16; on Thursday, 14; on Friday, 20; and on Saturday, 36. For the six months ending the 30th September 1871 there were on Sunday, 8; on Monday, 17; on Tuesday, 15; on Wednesday, 13; on Thursday, 11; on Friday, 15, and on Saturday, 30. For the six months ending the 30th September 1873 there were on Sunday, 9; Monday, 20; Tuesday, 19; Wednesday, 14; Thursday, 13; Friday, 16; and Saturday, 35.

3994. That bears out, does it not, the statement which you have already made that the great evil of drinking in Belfast is on Saturday rather than on any other day?—It does.

3995. And it shows also that the arrests on Sunday for drunkenness are less than on any other day in the week?—Yes.

Mr. EDWARD ORME, called in; and Examined.

Chairman.

Mr. Orme.

3996. WHAT is your position?—I am Stipendiary Magistrate of Belfast.

3997. How long have you held that position?—I have been magistrate very nearly 30 years; and 15 of those years have been in Belfast.

3998. What is your view as to the proposal of the total closing of public-houses on Sundays in Belfast?—There are so many opinions that it is very hard to come to a decision, but I should say that they should be partially closed.

3999. What do you mean by partially closed?—Say that they should be open from two till six.

4000. That the present hours of opening should be shortened by three hours?—Yes, at the least.

4001. Would you prefer that proposal to total closing?—Yes, and why I think so is that very likely total closing on Sunday would, in my opinion, be the cause of a good deal of inconvenience and dissatisfaction.

4002. Amongst what classes?—Amongst rather the middle and lower classes than otherwise;

Chairman—continued.

the higher classes would be altogether for total closing.

4003. Do you think that the middle classes in Belfast would be opposed to it?—More so than the higher classes, most decidedly.

4004. How would the lower classes feel?—They would be for having them open altogether if they possibly could.

4005. Do you think that there is any distinction in the view which is generally taken upon the subject in Belfast between the Protestant population and the Catholic population?—That is a very hard thing to come to an opinion about; there may be or there may not; a good deal would depend upon circumstances.

4006. You have heard the evidence given by the sub-inspector to-day with regard to illicit drinking in Belfast, and the possibilities of an increase of illicit drinking on Sundays in the event of total closing being adopted; what is your opinion upon that point?—I coincide very much

Chairman—continued.

much with the evidence of the sub-inspector which I have just heard.

4007. Do you think that the constabulary have sufficient powers at present; the law remaining as it is, to put down illicit drinking?—I feel that if their powers were somewhat increased it would be an advantage. There is an immense population in Belfast, and very likely if the public-houses were closed on Sundays we would get more trouble with them and should require some more force.

4008. Do you think that they have sufficient legal powers?—As I said a few moments ago, a good deal would depend upon circumstances.

4009. I am not dealing with the question of party processions or riots?—Unless when these occur, I think we could get on very well indeed.

4010. I want you to turn your attention solely to the question of the sale of liquor; do you think that the police have at present sufficient powers to put down illicit sale, the law remaining as it is?—That is a very difficult question for me to answer. I think that very possibly they might get on very well with their present number; they are a very large force, but there is an immense population in Belfast.

4011. Supposing the law to be altered, and the houses to be totally closed on Sundays, do you think that they would want any further power to deal with the danger of illicit sale?—I think that they could cope very well with their present numbers with anything that might occur on Sundays, provided they got increased powers.

4012. Did you hear the sub-inspector's recommendation, as to an alteration of the law on the subject?—Yes, I did, and I am aware of it.

4013. Did you hear him recommend that the provisions of the Illicit Distillation Act should be applied to the subject of illicit trading?—I did.

4014. What is your view of that recommendation?—As I mentioned a few moments ago, I thoroughly agree with Sub-inspector Thynne's evidence, as regards that.

4015. You see no difficulty in it?—I do not see the slightest difficulty.

4016. With regard to the *bona fide* traveller question, if total closing on Sunday were adopted, what do you think would be the result in that matter?—We have very little of the *bona fide* traveller question on Sunday; indeed, I may say, none. Sunday is the quietest day in the whole week with us.

4017. Are there not a certain number of excursionists into Belfast on Sundays?—Hardly any.

4018. Supposing that the public-houses in Belfast were allowed to sell liquor to *bona fide* travellers on Sundays, being closed against every one else, what do you think the result of that would be?—Very likely it might cause a very invidious distinction, and I think it would require legislation to a certain degree.

4019. Of what kind?—Giving certain publicans a seven-day license.

4020. What legislation would you recommend?—Legislation empowering the magistrates to give this license.

4021. What do you recommend should be done?—

Chairman—continued.

done?—The only recommendation I would suggest at all would be, that the publican, whoever he might be, should get a seven-day license, and that he could get by making proper application in the proper quarter.

4022. What do you mean by a seven-day license?—Taking out a license including the whole week.

4023. The one I am putting to you is this: supposing that all the public-houses are closed on Sundays, but are allowed to sell to *bona fide* travellers and lodgers, as is proposed by the Bill now before the Committee, do you think that that state of things would be satisfactory, and if you do not think that it would be satisfactory, how would you suggest any means of dealing with it?—As I said a few moments ago, the individual should take out a seven-day license, and then he could sell on Sunday to *bona fide* travellers.

4024. The exception to the total closing of public-houses on Sunday is proposed to be solely this, that a publican is to be allowed to sell to *bona fide* travellers; do you think that, looking at the large number of public-houses in Belfast, such a state of things would be satisfactory?—I do not think it would.

4025. Then what would you recommend?—I would recommend that certain publicans should get a seven-day license, and sell under that.

4026. Then you would recommend that total closing on Sunday should not be adopted?—Yes, I would.

4027. But I want you to suppose that it was adopted with that exception; what then?—If the total Sunday-closing law takes place I think that excursion parties should come under the same heading as *bona fide* travellers.

4028. You mean that they should be allowed to buy refreshments?—I do.

4029. Do not you think that there would be a great many excursion parties?—Very possibly it might increase them, but we have no excursion parties at present.

4030. And that many persons who were not excursionists or travellers would buy liquor under that pretext?—Yes, exactly.

4031. Can you suggest any means of checking that?—I think it would be very difficult at present.

4032. You mean as the law at present stands?—Yes.

4033. Can you suggest any amendment of the law?—That would be more for the Committee than for me.

4034. You have had an experience of 15 years as a magistrate of Belfast; could you not make a suggestion on such a point?—The only suggestion that I could offer would be that legislation should take place on that subject.

4035. Of what kind?—That is more than I can tell you, except what I have indicated.

4036. Have you any statement on the subject of Sunday closing that you feel able to make to the Committee?—No, I have not. I have not made up anything of the sort.

Mr. Meeson.

4037. I believe the constabulary in Belfast discharge their duties, with regard to the licensing laws,

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Mr. Mellon—continued.

laws, in a satisfactory manner?—They do indeed, very much so.

4038. Have you found that severity on the part of the magistrates has tended very much to reduce the number of offences?—Yes, by increasing the fines. There are some cases where we have put on 50*l.* in shewn cases.

4039. I understood you to say that the question of the *head side* traveller will not cause much difficulty in Belfast, because there are really very few *head side* travellers?—None, not worth talking of.

4040. Consequently the number of persons who would be entitled to get refreshments at *head side* travellers would be very few in Belfast?—Very few indeed.

4041. If the publicans or hotel-keepers commenced to supply drink to a large number of persons, they would necessarily be persons who would not be qualified as *head side* travellers?—No doubt of that.

4042. And there would be no difficulty in detecting that they were supplying drink to persons who were not entitled to it?—None whatever.

4043. Therefore if there was an attempt to sell wholesale to every person that applied it would be very easy to put it down?—It would be at once put down.

4044. So that the question of the *head side* traveller does not create any difficulty?—It hardly rises at all in Belfast.

4045. Have you read any of the evidence given by the Scotch witnesses, as to the working of the Sunday closing law in Scotland?—No, I have not; I have not had time.

4046. So far as you know of the constabulary, there is no reason why they should not cope with offences against the Licensing Act?—Not that I can see, in its present form.

4047. They are quite as competent as any other police that you know of?—That has always been my opinion.

4048. The constabulary make use of persons in plain clothes, do they not, to detect those offences?—Yes, they do it in the shape of detectives; we have a large force of those men in Belfast.

4049. And that system works well, and gives satisfaction to the magistrates?—Yes, admirably.

4050. I also understood you to say that with the force that is in Belfast there would be no difficulty in enforcing this law if it was required?—No, unless something very unforeseen occurred; up to the present we have coped with much worse times than we have at present.

4051. You have no doubt that the constabulary would be just as able if the law was changed to cope with it as at present?—Precisely.

Mr. Richard Seyth.

4052. What means have you taken to test the opinion of the middle and working classes of Belfast on this question?—No other means than public observation; a good many of them come before me day after day.

4053. You mean by conversing with people?—Yes; I constantly do that.

4054. The people whom you associate with socially a good deal are opposed to Sunday closing, are they?—I should say that the upper classes are for Sunday closing.

Mr. Richard Seyth—continued.

4055. Then it is the people whom you do not come into contact with who are opposed to it?—I believe I come in contact with every class.

4056. Could you particularise a little better what class of people you mean by the middle classes?—Respectable artisans, and people of that description; respectable traders and shopkeepers.

4057. Do you mean the respectable working classes?—No.

4058. Shopkeepers?—Yes; shopkeepers and artisans of different descriptions.

4059. Such as men working in Queen's Island, they would be opposed to Sunday closing?—Yes, I would not be at all surprised but they might be, although I have never consulted any of them.

4060. You know that they are opposed to it?—By report; but that is not worth much.

4061. Do you think that the working classes who live in the neighbourhood of Crumlin and the streets off Crumlin-road are opposed to Sunday closing, that is the district of the respectable artisans of Belfast?—I would rather think they would be more inclined to that than otherwise.

4062. So that in fact the Presbyterian artisans of Belfast and the Protestants generally would be opposed to it?—I would not say generally.

4063. But a considerable proportion of them, a large majority, I suppose?—I dare say they would.

4064. Do you think a large majority of them would?—I think a good many of them would, of the respectable portion of them.

4065. Do you think the action of the present Members for Belfast with regard to Sunday closing would be so all injurious to their political interests in Belfast?—There is one of them present, and I would beg to be excused answering the question.

4066. Do you think that these gentlemen who represent the town of Belfast have utterly failed to understand the opinions of the people?—I do not think so; I am very much mistaken if they have; I think that they are very intuitive gentlemen, who can see into things just about as well as any others that I know.

Mr. Maurice Brooks.

4057. You said that those persons with whom you associate socially, who are, no doubt, people of your own rank, are rather in favour of total Sunday closing?—Yes, the very respectable portion of the community would be I think; but that may be counter-balanced to a certain extent by the other side.

4058. The persons with whom you associate, I presume, are not persons who use public-houses themselves on Sunday?—No, I should say not.

4059. Those are the only people with whom you are acquainted who are in favour of total Sunday closing I understand you to say; am I correct in that?—I think you are not hardly; I think you may have misunderstood me.

4070. Would you explain what you mean?—The very respectable people that I alluded to a few moments ago are decidedly in favour of total Sunday closing; but there is another class of the community that are not, that may not be in exactly

*Mr. Maurice Brooke—continued.*

exactly the same social position as the people I have just mentioned.

4071. And they are in favour of keeping them open?—Yes.

*Chairman.*

4072. Have any facts with regard to the house to house canvass, which was conducted by the Sunday Closing Association in Belfast, come under your knowledge?—No, none.

4073. Or any facts with regard to public meet-

*Chairman—continued.*

ings held upon the subject?—There have been some public meetings, but those meetings have never been reported to me officially.

4074. And you have no knowledge of them?—No; if there was any apprehension of disturbances, or anything of that sort, I should hear of it at once, because the police would report it to me.

4075. But you do not apprehend any disturbance of any kind, in any case, do you?—Indeed, I should hope not.

*Mr. O'Connell.*

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Friday, 13th April 1877.

MEMBERS PRESENT:

Sir Michael Hicks Beach.  
Mr. Maurice Brooks.  
Mr. Bruen.  
Dr. Cameron.  
Colonel Cole.  
Mr. William Johnston.

Mr. Charles Lewis.  
Mr. Marten.  
Mr. Mardon.  
Mr. Murphy.  
Mr. Richard Smyth.  
Mr. Sullivan.

THE RIGHT HONOURABLE SIR MICHAEL HICKS BEACH, BART., IN THE CHAIR.

Mr. JOHN PRESTON, called in; and Examined.

Mr. Preston.

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Mr. Richard Smyth.

4076. WHAT office do you hold?—I am Mayor of Belfast.

4077. How long have you been resident in the town of Belfast?—Nearly 40 years.

4078. You are also a magistrate and merchant as well as Mayor of the town?—Yes.

4079. You have a considerable number of persons in your employ have you not?—I have.

4080. You are well acquainted, I believe, with the employers of labour in Belfast as well as with the persons employed by them?—Yes; I am intimately acquainted with the employers of labour.

4081. And with the habits of the people?—Yes.

4082. Are you familiar also with the opinions of the people in the question that we are dealing with in this Committee?—Yes, I am familiar with the views of most parties on the subject.

4083. What would you say is the prevailing opinion of all classes in Belfast upon the subject of closing public-houses on Sunday?—The prevailing opinion, I believe, to be that it would be a very great benefit to the inhabitants of Belfast.

4084. Will you tell us how you have arrived at that conclusion as to the opinion of the citizens and the inhabitants of the town?—I have heard them express their opinions, and I have also attended meetings where I have heard the views of the parties at those meetings.

4085. Have you presided at any public meetings on the subject of Sunday closing?—In favour of it?

4086. Yes, in favour of Sunday closing?—There was a very large meeting held, I think, one day last week.

4087. Where was that meeting held?—It was in the Ulster Hall, the largest place of the kind in Ireland.

4088. How many persons would the Ulster Hall accommodate at the meeting?—I have seen it hold at a very large meeting, perhaps 5,000 or 6,000, but those were very particular occasions.

4089. There would be no seats, I suppose, in the area of the hall upon those occasions?—None whatever.

4090. How many persons do you think were

Mr. Richard Smyth—continued.

present at the meeting last week?—I should think between 1,000 and 2,000; pretty well up to 2,000, I should say.

4091. Then the hall was not filled?—No, there were some parts of it I observed not filled, but in other parts it was crowded.

4092. What class of people attended the meeting mainly?—I think mainly they appeared to me to be the working classes. There were very many on the platform very respectable citizens also, but in the body of the hall I should say that they appeared to me to be of the artisan class.

4093. Was the admission to the meeting by tickets?—Yes, I believe it was; I am not quite familiar with the arrangements, but I believe it was by ticket, but of that I am not certain.

4094. There are certain parts of the hall to which, I suppose, the more respectable classes go, and other parts of the hall for the accommodation of the artisan classes?—That is generally the case; on the balcony the respectable classes generally go, and in the body of the hall generally the working classes.

4095. Which part of the hall was the better filled?—The body of the hall, I should say.

4096. Was the meeting unanimous?—Perfectly unanimous. I did not hear a dissentient voice or a word spoken against the object of the meeting.

4097. Are you aware of any meeting having been held in hostility to this Bill in Belfast?—Never in Belfast that I heard of.

4098. I suppose you have heard of meetings of licensed victuallers in Belfast?—Yes, I have noticed. I think they have monthly or quarterly meetings, or something of that kind, but those are not public meetings, I think.

4099. They generally pass resolutions hostile to the Sunday Closing Bill, do they not?—As a matter of course, I should think so.

4100. They think that it would injure their trade?—I should think so.

4101. I suppose, as far as you can gather, the opinion of the licensed victuallers would be that Sunday closing would, to a considerable extent, stop the sale of drink on that day?—I think that it would very materially interfere with the sale



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sale of drink, but while many licensed victuallers, as they are called, would oppose it, I believe a large number of those who keep public-houses would be in favour of it.

4102. I suppose that a considerable number of them have six-day licences?—Yes.

4103. Have you heard employers of labour making any complaints about the condition of their workmen and even workwomen on Monday mornings?—Very frequently.

4104. What is the nature of those complaints?—The nature of the complaints was that the greater part of Monday they never got their work half so well done and that many of the employes were unfit to do their work.

4105. Are you aware that they complain as much on other mornings of the week as on Monday morning?—I never heard so.

4106. What inference would you draw from that?—I attribute it to intemperance on Sunday.

4107. Why do you suppose that the working classes should drink more on Sunday than on other days in the week so as to incapacitate them for their work the next morning?—The reason that I think that they drink more on Sunday is that they are more in the habit of meeting their friends and taking a stroll; perhaps they are going out a short distance from home, and they frequently invite each other into the public-houses, and sometimes the numbers of the party increase perhaps up to 4, or 5, or 6, or more, and one treats another, and then another must return it, and so on until they become intoxicated; very frequently I have known that to be the case; when I say I have known it, I have witnessed numbers standing together four and five, and upwards, and rows taking place.

4108. When do the working people generally get their wages in Belfast?—Formerly it was on Saturday, but of late years in order to prevent, I believe that was the object, Sunday drinking, and that they might get a better opportunity of getting what provisions they required, Friday being the market-day many of them pay on Friday and some even now on Thursday. They are endeavouring to prevent the evil as much as possible of Sunday drinking.

4109. Looking at the matter as chief magistrates of Belfast, do you think that the peace of the town would be at all endangered by closing up all the public-houses on Sundays?—I have no such notion at all, not the slightest; I think the reverse would be the case.

4110. You do not apprehend any rioting for the purpose of getting drink?—I do not; certainly not.

4111. No violence has occurred during the prohibited hours on Sunday, for the purpose of getting drink?—I never heard of any such thing.

4112. And you do not think that any such thing would occur if the public-houses were closed?—I have not the slightest idea that anything of the kind would ever take place.

4113. Do many excursionists come into or go from Belfast on Sundays?—Frequently; there are special trains come and go.

4114. Where do they generally go to?—Sometimes to one place and sometimes to another, sometimes to county Antrim, sometimes Rosstrevor, sometimes to Newcastle, and sometimes Port Rush. I should mention that occasions of that kind are about the holidays, such as Easter or Christmas.

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Mr. Richard Smyth—continued.

4115. But special excursion trains are not usual during the summer months on Sunday, in Belfast?—Certainly not, except on the County Down Railway, which, however, are not special excursion trains, but parties frequently go there on Sundays, and there is one steamer also on the Lough between Belfast and Bangor.

4116. Do many persons come into Belfast as excursionists on Sunday?—I should think they frequently do come in by train.

4117. With what motive would they come?—To see their friends, I fancy, or perhaps to see the town.

4118. They would be *dead fish* travellers, I suppose, when they were there, would they not?—I should think they would be looked upon as such.

4119. Do you know anything about the licensing laws in Belfast?—I know something, but I am not prepared to give a decided opinion as to that; I am not satisfied at all with the present licensing mode, but I should prefer not saying anything further than that I hope that there will be an improvement in that direction.

4120. Are you aware that holders of six-day licences are not allowed to supply drink at all to travellers on Sunday?—Yes; they are not allowed drink on Sundays.

4121. Are six-day licences the exception, or are they the rule in Belfast?—I am sorry to say that they are the exception.

4122. How do you think the plan would work, supposing the six-day licences were the rule and the seven-day licences the exception?—I think it would work much better than it does at present, because it would not be giving an advantage to one over another.

4123. Do you know anything about the Scotch system of licensing?—I do. Since the *Ferries Mackenzie Act* was introduced, I recollect seeing Glasgow and Edinburgh worse than Belfast before that.

4124. Are you aware that only the hotels in Scotland are allowed to give drink to travellers on Sundays?—Yes, I am aware of that.

4125. Supposing we had by Act of Parliament a universal or general system of six days' licences, which of course would be in the spirit of the Sunday Closing Bill, and that the magistrates were empowered to issue in certain cases seven-day licences for the accommodation of travellers, do not you think that that would bring it very much into harmony with the Scotch system?—Yes, I think it would be advisable, and I think perhaps desirable, that there should be such accommodation given.

4126. Do you think that the magistrates of Belfast, supposing that they had that discretionary power, would issue seven-day licences to a very large number of public-houses, or do you think that they would restrict them considerably?—I am perfectly satisfied from what I know of my brother magistrates that they would be more in favour, or a very large majority of them would be in favour, of six-day licences.

4127. That is Sunday closing?—Yes.

4128. But at the same time giving the magistrates a discretionary power to issue special licences to certain houses for supplying drink to travellers?—Yes.

4129. From what you know of Belfast, do you think that the exemption of that town from the operation of the Sunday Closing Act would

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he a popular measure in Belfast?—I should think it would be the very reverse, and I think a disgrace, inasmuch as if Belfast were exempted all parties could come from Lisburn, Portadown, Lurgan, Downpatrick, Bangor, Holywood, and all the neighbouring smaller towns, and get drink only in Belfast, which I think unquestionably would lead to very great mischief. I do not see how it could be prevented that mischief would not arise, because I am sorry to say there is sometimes a little bit of perhaps party-feeling, or something of that kind, and I am afraid that mixed parties, as they would be coming into Belfast, would very likely lead to mischief.

4130. You think it would be a very undesirable thing to encourage the excursionists to come from the country districts into Belfast?—I would think it most undesirable.

4131. The country district around Belfast is mostly inhabited by a Protestant working-class population, is it not?—I should think so, the majority of them.

4132. And they belong to the Orange party generally?—I think that there is a very large number of the Orange party throughout the country towns.

4133. There is a very large Catholic population in Belfast, is there not?—About one-third, I think.

4134. You do not think it would be a desirable thing to encourage excursions on Sunday from those outlying districts into the town of Belfast?—My opinion is that it would be most undesirable, and I think dangerous to the peace. I cannot think otherwise.

4135. You think that the exemption of Belfast might lead to breaches of the peace?—I am afraid it would. I think it would be a very strange legislation.

4136. Do you think that the arrests by the police for drunkenness on either Sundays or on week days are an adequate representation of the amount of drunkenness in Belfast?—No doubt it is an index of it, but it does not adequately represent the drunkenness, because if a party gets drunk and any of his friends come to his assistance, the police allows the drunken party to go with his friends in case he is not cursing the Pope, or anything of that kind calculated to cause a breach of the peace, or shouting, as they frequently do, to some other party about King William or something of that kind, which has been so frequently the case; and then we impose a very heavy fine, 40 s. and costs.

4137. There is a very considerable Catholic population in Belfast, is there not, convenient to the Ulster terminus?—Yes; that is where the greatest riots that ever we had in Belfast commenced.

4138. Supposing you had special trains of the working classes of Lisburn, who are generally Orangemen, coming into the Ulster terminus on Sundays, knowing that they had a chance of getting drink in Belfast which they could not get elsewhere, would you apprehend any serious results from such a system?—I think such a course would be very much to be deplored, and I should not be responsible for the results arising from such a course.

4139. Do you think that in that district the police on Sunday would require to have a vigilant eye upon these excursionists?—I think so.

4140. So that you think that the exemption of

Mr. Richard Smyth—continued.

Belfast would be a very serious evil?—I am strongly of that opinion.

4141. And dangerous to the peace of the town?—I do think so.

Mr. Maurice Brooks.

4142. I understand you to say that if Belfast be exempted, and the public-houses of other towns are closed, very evil results would ensue in Belfast?—I should very much fear it.

4143. Supposing that in Lisburn and other towns they were not closed, would you still be in favour of closing on Sunday in Belfast?—I would.

4144. Are you in favour of closing in other towns on Sundays?—I am.

4145. And on week days also?—No, not on weekdays; I think it is quite legitimate that they should sell on six days in the week.

4146. Why on Sunday, being the workman's rest from labour, do you propose to prevent him from using public-houses for entertainment?—Because I think numbers of these meeting together very frequently get into mischief, and they are not at liberty to congregate in numbers during the week, when they are attending to their labour.

4147. Do you know now whether the number of persons who are committed for drunkenness on Sundays is greater than on weekdays, or less?—We have no such committals; I decline to do that.

4148. Is the number of arrests greater on weekdays than on Sundays?—The arrests are very frequent on Sunday; but I decline to release prisoners, or to attend the police-court, on Sundays, as some of my predecessors in office did; I do not think it legal, nor do I think it desirable.

4149. Persons are arrested on Sunday for being drunk?—Yes, certainly.

4150. Do I understand you to say, that it is because of the greater drunkenness on Sunday than on other weekdays that you would prevent working-men from having any refreshment on Sundays?—I think that would be a very sufficient reason.

4151. Is that the reason, do I understand you?—Yes, that is the reason.

4152. Do you know Sub-inspector Thynne?—I do, very well.

4153. The statistics that he would give with regard to the arrests on Sundays and week days would be reliable?—I have no doubt whatever, that Inspector Thynne would give very conscientious evidence.

4154. Would his evidence be reliable as a matter of fact?—Perfectly so, according to his belief. I had not the opportunity of hearing Mr. Thynne examined, nor have I seen his evidence.

4155. He was asked, at Question 3893, "Can you tell us what the total number of arrests for drunkenness in the year 1876 were upon Thursdays, Saturdays, and Sundays respectively?" and his answer was, "I can; on Thursdays there were 838, on Saturdays 1,042, and on Sundays 422;" is that accurate, do you think, or approximately accurate?—I think it is very likely to be approximately accurate.

4156. How do you reconcile this with your statement that drunkenness on Sunday is so much greater than on weekdays that you recommend the

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the closing of public-houses on that day?—It is quite reasonable, to my mind; the workmen as a rule, and in practice I believe, commence drinking on Saturday evening, Saturday being a half-holiday; they are very frequently drunk, I am sorry to say, on Saturday night; and after commencing on Saturday they continue drinking on Sunday, still keeping with their friends, and out of the meshes of the law. On the Monday, as I have already stated, if they go to their work, they are frequently unfitted for it; but they very frequently remain at home, and therefore they cannot be arrested.

4157. Do you mean to say that they cannot arrest people on Sunday?—No, on Monday. I have already explained how it is on Sunday that they are under the control perhaps, some of them, of their wives (and, I am sorry to say, not so many as ought to be), and some with their friends, and therefore they are not arrested, because, although they may be drunk, as I have very frequently seen to be the case, if their friends take them away the police do not arrest them. But I have frequently witnessed rows in public-houses on Sunday, and I have had frequently to speak to the police upon the subject, and I have also thought it my duty to enter those public-houses with the police when the rows take place.

4158. The figures as given by Mr. Thynne would show that on Sunday the arrests are not one-half what they are on any other day, and not a quarter what they are on Saturday?—I should be disappointed if they were a quarter on Sunday.

Mr. Richard Smyth.

4159. I suppose that they have not so many hours for drinking on a Sunday?—The public-houses are closed up to two o'clock, but I very much fear that a great deal of mischief is commenced on Saturday evening.

Mr. Maurice Brooks.

4160. I understand you to say that people would come in from the other towns; do I understand you to say that they would come in and get drunk, or come in and get drunk?—If they came in to get drunk, then I think it would follow that they would come in and get drunk; in many cases many of them would not, but very many of them I fear would, if they could not get drunk in other towns.

4161. Can you inform the Committee how many persons are convicted weekly in Belfast for being drunk on Sunday?—I cannot, indeed. If I had had any idea that I should have been asked such a question, I would have furnished myself with the information.

4162. Would you be surprised to hear that the average is less than 10?—I should be very much surprised if they were not much nearer 10 times 10 on Sunday; in fact, I know they are. I am speaking of the arrests on Sunday for drunkenness; they are brought to the police office, as I have already stated; sometimes my predecessor, the Mayor of Belfast, attended there, and thought proper to release them. I did not see my way to such a course, and I did not adopt it.

4163. Are you of opinion that the arrests for drunkenness on Sunday would amount to 100?—Frequently there have been more, but I think that they are seldom less than from 60 to 70.

4164. At Question 3693, Inspector Thynne 0.55.

Mr. Maurice Brooks—continued.

was asked, "Turning to the number of arrests for drunkenness, can you give us any statistics upon that point?" and here is his answer: "In 1874; in the year there were 7,104 arrests, and 378 on Sundays, during the whole year; in 1875 there were 7,359, and 445 on Sundays during the whole year; and in 1876 there were 7,192, and 422 on Sundays." Are you still of opinion that there are 70 to 80 or 100 arrests every Sunday?—I have no doubt of it, and very frequently more, and the public papers will show that. I think, if you will refer to any of the Belfast papers of last Monday, you will find that the number of cases entered for drunkenness on the Sunday was, if I mistake not, 65 or 75, but I have frequently seen it more.

Mr. Murphy.

4165. You stated that you had an opportunity of knowing what the feelings of all classes in Belfast were with reference to this subject?—Yes.

4166. Have you had an opportunity of knowing intimately what the general feelings of the labouring class and artisan class are particularly, and can you speak from your own personal knowledge with respect to them?—Not particularly of that class more than the others, but I have a good knowledge of the opinions of that class.

4167. I presume it is a general knowledge?—Yes, I have said so.

4168. It is merely your opinion that you give as to what you conceive to be your general knowledge of their ideas upon the subject?—It is a general knowledge of the opinions of others that I have heard expressed—large employers of labour—and also from my own observation in speaking to those men.

4169. What proportion of the working classes appeared at that meeting at which there were 1,500 persons present?—I am not quite prepared to give the number accurately, but I should say that three-fourths were working men apparently; from the platform in a large hall I could hardly speak with certainty, but I believe it to be something like that number.

4170. On what day was the meeting held?—On Thursday, the 5th of April.

4171. Were those of the working classes who were present artisans and mechanics?—Yes, many of them.

4172. Were there any labourers?—Yes, I have no doubt there were.

4173. I take for granted that those artisans and mechanics came there with the knowledge of their employers?—I really do not know; I have no knowledge of that whatever.

4174. But employers generally are in favour of Sunday closing, are they not?—Yes.

4175. Because they believe that closing the public-houses on Sunday would enable men to come sooner to their work on Monday morning?—Not sooner; they cannot commence work before a certain hour.

4176. What I mean is this, that they would come more capable of doing their work?—Yes, certainly, they would be better prepared to do their work.

4177. We may take for granted that the natural object of an employer is, that believing that Sunday closing would enable the workman to do his work better on the Monday, he therefore

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therefore is naturally in favour of Sunday closing?—Naturally, so far as that goes, but I hope, independently of that, for the good of his fellow-man he would like to see him in a better state. I will believe that that largely influences a number of the employers of labour.

4178. I take it for granted that you, in common with every well-thinking person in the community at large, are against intemperance, because as a matter of course no one can be a friend of the community that is not against intemperance?—I am not a teetotaler myself, but I am strongly of that opinion that you express that it would be a very great benefit.

4179. And your belief is that the closing of public-houses on Sundays would check intemperance?—Most decidedly.

4180. And for that reason you advocate it?—I should think that that is a very strong reason.

4181. Looking at this Bill which is before the House, and which is for the purpose of closing public-houses on Sunday, with a view I presume to check intemperance, do you or do you not believe that that it would be a sufficient reason for the Legislature to close public-houses on Sunday if it was proved to them that Sunday was the day in the week on which there was the least drunkenness?—I do not quite understand the latter part of your question, when you say if it were proved to them; that means that it is a matter of the future which I am not prepared to answer. I think there has been abundant evidence given to show that that would be so, and there is nothing stronger upon that point than the state of Scotland formerly as contrasted with its present state, but I cannot speak of the future. But with all respect the question is very peculiar, and I confess that I feel some difficulty in answering it, because it is a matter upon which parties would differ very much, and besides I do not myself see the point of the question, and I really must say that I cannot answer it.

4182. I believe you are an advocate generally for non-trading on Sunday?—Yes.

4183. You do not think it proper that anything at all should be sold on Sunday?—I perhaps would not go so far as that, but I think it is contrary to the laws of God and man, and therefore I think it is wrong.

4184. And you have a very strong feeling upon what is known as the Sabbatarian question upon this subject?—I do not know that I am so; I have I hope a proper feeling, but I do not know that I was ever called a Sabbatarian before.

4185. You know what I mean by that; that there is a strong feeling in Scotland upon the observance of the Sabbath day which permeates the entire community, and which is consonant with their feelings, and I presume it is the same feeling in that respect which would actuate you. Generally speaking, do you or do you not think that the majority of the people who frequent public-houses on Sunday get drunk?—I fear that a large majority of those who attend public-houses get drunk on Sunday.

4186. That is your deliberate opinion?—I fear so; I should not say the large majority, but I am afraid that a large proportion of them do.

4187. Do you or do you not believe that a majority of those who frequent public-houses on Sunday get drunk?—I do fear that a majority of them get drunk.

Mr. Murphy—continued.

4188. Would your opinion be changed if authentic statistics were produced to you showing the contrary?—I cannot shide by the opinions of others; I am merely giving my own evidence on the opinion which I have formed from what I have seen and heard.

4189. And do you, in giving your evidence from what you have seen, mean to tell the Committee that the result of what you have seen enables you to state that the majority of the people frequenting public-houses on Sunday get drunk?—There is a difference of opinion about whether a man is drunk or not. Some people think they are not drunk while they can stand on their feet; but it is such a difficult question to answer that I really must decline to answer it. I have myself witnessed many parties who would insist on it that they were not drunk; and I met with one case very recently where a man could hardly stand, and yet he said he never was drunk in his life, and I could not persuade that man that he was drunk, although I tried to persuade him that he was.

4190. Would you class that instance which you have given now of a person who was scarcely able to keep standing on his feet, as an instance of this majority who frequent public-houses, and who you say get drunk on Sunday?—I do not; I think that the majority are certainly not one-half so bad as he was, because he could hardly stand on his feet.

4191. Where do you draw the distinction?—That is the difficulty.

4192. Then your opinion taken it *en bloc* is this, that the majority of people who go to public-houses on Sunday get the worse for drink?—Yes, I do; I don't say they get drunk.

4193. Are these parties composed of all classes?—No, I should think not.

4194. Who are the classes that frequent public-houses on Sunday?—I should say generally the working classes.

4195. What do you mean by the working classes?—That again is difficult to explain, because I may be looked upon as one of the working classes myself. I work as hard as most people. But what I mean is parties earning perhaps from 12s a week to 30s a week.

4196. Then you include mechanics, artisans, and labourers?—Yes.

4197. These are what are always understood to be the working classes?—There is a difference of opinion of late years about the working classes.

4198. Taking all those three classes; the artisans, the mechanics, and the labourers, they are the classes I take it, who frequent public-houses?—I think so.

4199. And your deliberate opinion is this; that the majority of the artisans, mechanics, and labourers who frequent public-houses on Sunday get the worse for liquor?—Yes.

4200. Some of them very drunk, and others more or less drunk?—That is so; that is a very proper description of them, I think.

4201. Are you prepared to say, deliberately speaking, that a majority of the Irish artisans, labourers, working men, and mechanics in Belfast, who go to public-houses on Sunday, are more or less the worse for liquor?—I think it is so. It is an unpleasant thing for me to have to give such an opinion of my countrymen, but that is my opinion.

4202. Do

Mr. Murphy—continued.

4202. Do you believe that the closing of public-houses on Sunday would stop that state of things?—I think it would be a very great means of remedying that evil.

4203. Do you think that the parties who now use public-houses, the majority of whom are more or less the worse for drink on Sunday, would be restrained from getting that drink if the public-houses were closed?—I think they would be largely restrained.

4204. Do you think that if they could get it elsewhere they would be restrained?—Some of them would, and some of them would not. I think that many of the parties who leave their own homes, without any intention of going into public-houses, are frequently induced to enter when these public-houses are open, and that if they were not open they would not have any inclination or desire for drink; but they are induced to go in by those who frequent them. I have known cases of very respectable servant girls, who went out with a desire to see their friends, or perhaps to go to a place of worship, I do not know which, but they were induced to go into public-houses; and I have seen one, not long since, go past my own gate coming to complain of having been abused by a person that induced her to go into a public-house.

4205. I take it for granted that these instances are the minority, and not the majority?—I sincerely hope so.

4206. I want to know your opinion.—That they are in the minority. I should be very sorry to think otherwise.

4207. You accounted for the fact that you believed that more people get drunk on Sundays than other days of the week by reason of the facilities of companionship and treating each other; how would you reconcile that with the statistical fact that on the other days of the week, when the returns were taken, there were more drunken people than on Sundays?—I have endeavoured to explain it already; that parties on Sundays are in the company of their friends, two and three together, and they are taken care of frequently by their wives, and they are not allowed to be taken by the police.

4208. That is your opinion?—That I believe to be the fact.

4209. Would that account for this extraordinary fact that on Thursdays throughout this last year, on the days that were taken, there were 834 persons taken up for being drunk in Belfast; on Saturdays there were 1,542 taken up for being drunk, and on Sundays there were but 422 throughout the year?—I have endeavoured to explain why the number is so few on Sunday, I hope clearly, but if it is not sufficiently clear I shall be very glad to give any further information upon the subject.

4210. You tell us no facts, but you merely give your opinion, and you arrive at the conclusion that by reason of parties getting drunk on Sunday being taken care of by their wives and friends they do not appear in the police returns?—Yes; the police do not arrest them. With regard to Thursdays and Saturdays, it should be borne in mind that Wednesday is our monthly fair day, and Friday is the weekly market day, and therefore it may be easily explained why there are so many on Thursdays and Saturdays.

4211. Let me ask you would not their wives

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take care of them on those days?—Their wives do not go out with them on week-days, I think.

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Mr. Boase.

4212. Are you a total abstainer?—I am not.

4213. Are you in favour of the Bill which is known as the Permissive Bill?—I do not see my way to support that Bill.

4214. In dealing with cases as a magistrate, have many cases been brought before you for the illicit sale of drink?—Yes.

4215. Is there much of that going on in Belfast?—I fear that there is a good deal with regard to what is called the grocer's license.

4216. That is to say, illicit sale by those who do hold licenses?—Yes, not to be drunk on the premises.

4217. But have you had experience of cases of persons selling drink who have had no license whatever in what are called shebeens?—Yes, I have had such experience.

4218. Do you think that that breach of the law would be likely to increase if the public-houses were closed on Sundays?—I am not prepared to say that it would not increase; but with vigilance watching by the police, I do not see why it should increase. I think it would be prevented with the force that we have in Ireland.

4219. In dealing with those cases, has it ever struck you that an amendment of the Act as regards the penalties might be effected; I believe it is a fact that the police have a very great difficulty in obtaining evidence of selling or exposing for sale the drink that is sold in those places?—They have very great difficulty indeed.

4220. In your opinion, would it tend towards the prevention of that illicit sale if there were a more heavy penalty for the having for sale on the premises as well as the exposing for sale or the actual selling?—I think that it would be a vast improvement upon the Act if, when spirits are found on premises where they had not a license, the fine should be imposed.

4221. And you have found a difficulty in imposing a fine under the present state of the law?—Very great difficulty.

4222. There is a penalty, I believe, but a very small one?—There is a penalty at the present time; I think, if I mistake not, that the week before last Mr. O'Donnell imposed in three shebeen cases fines of from 10 l. to 20 l.; I only saw it in the papers; I was not on the bench at the time.

4223. You spoke of the number of cases of drunkenness entered on Sunday, and I think you mentioned 45 and 70?—There are frequently more than that.

4224. Would that include cases of drunkenness on Saturday night that were kept over till Monday?—Some of them might be brought in on Saturday night, but the greater portion, I think, on Sunday.

4225. You spoke, did you not, in favour of giving to the magistrates a discretionary power to grant a license to certain houses for serving travellers?—I think that would be desirable.

4226. Do you mean that those houses should be open only for travellers?—Only for travellers.

4227. And therefore you would not allow the generality of public-houses or hotels to serve even a *bona fide* traveller on Sunday?—I think it would be an abuse to do otherwise.

4228. Are

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Mr. William Johnston.

4228. Are you acquainted with the traffic arrangements of the various railways that run to and from Belfast?—Yes, I am somewhat acquainted with them.

4229. As a matter of fact, is it not the case that only about one-third of the number of trains are run upon Sundays that are run upon week-days?—I do not think that there are so many on one-third.

4230. It is a very unusual thing, is it not (and perhaps you will be able to give us some information about it), for excursionists, solely as excursionists, to come into Belfast on Sundays?—Except at holiday-times, such as Christmas or Easter.

4231. Is it not more usual to go out of Belfast, to places like Newcastle, Holywood, and Bangor?—I have already said so, in answer to Professor Smith.

4232. The honourable Member for Londonderry asked you, with regard to the character of the people and of the religious denominations of those living generally in the towns and villages in the neighbourhood of Belfast, and referred to them as Orange or Protestant parties; is it your opinion that those parties so referred to would be likely to take excursion trips into Belfast solely for the sake of getting drink on Sunday?—No, I do not think they would. I say that they might come to see their friends. I do not think they would do so for the simple purpose of getting drink; but I think that if Belfast were excluded, and they came to see their friends, and the public-houses were open, that would lead to a great deal of mischief.

4233. Reference has been made to the possibility of Sunday riots; is it your opinion that riots would be more likely to ensue in Belfast on Sunday in consequence of closing the public-houses or keeping them open?—The latter, decidedly.

Mr. DAVID HARNELL, called in; and Examined.

Mr. Harnell.

Chairman.

4239. WHAT position do you hold?—I am Sub-inspector of Constabulary.

4240. How long have you been stationed in Belfast?—I have been there four-and-a-half years.

4241. Will you describe to the Committee the nature of the district over which you are?—I have charge of one of four districts, each under a sub-inspector. My district comprises the centre portion, I may say, of the town.

4242. What is the area and the population?—I could not answer as to the area and population strictly of my own district, but I should say that it comprises one-third of the population, and perhaps a much smaller area proportionately.

4243. Do you think there are 70,000 inhabitants in your district?—I think there are.

4244. To what class of society do those mostly belong?—They belong to the humbler classes, because in my district, comprising the centre of the town, the wealthier class have their warehouses there, but all the part not devoted to warehouses is inhabited by the very humble classes; in fact, I may say, the lower classes of the town live very much in my district.

4245. Is it generally a Protestant or a Roman Catholic population?—In my particular part I should say that they are about fairly divided.

Mr. William Johnston—continued.

4234. Do you know a society in Belfast called the Amalgamated Society of Engineers, Machinists, Millwrights, Smiths, and Pattern Makers?—I am not a member of it, but I am aware of its existence.

4235. Are you aware that they passed this resolution:—"That inasmuch as the honest workmen are practically opposed to the shortening of the hours of labour, by their keeping open their houses for trade on Sundays, we refuse to receive any deputation representing such views, and that we, as a branch, declare in favour of the Sunday Closing Bill without any of the proposed amendments; and that our secretary be instructed to forward these views to our representative, Mr. Johnston, to place them before the Select Committee of the House of Commons?"—I believe that to be the case.

4236. Do you believe that those represent fairly the working classes of Belfast?—I think that they are a good representation of the working classes, a very good type of them.

Mr. Maurice Brooks.

4237. I will ask you to read this question put to Mr. Thynne, No. 3888, and his answer?—The question is, "Can you tell us what the total number of arrests for drunkenness in the year 1876 were upon Thursdays, Saturdays, and Sundays respectively?" and the answer is, "I am; on Thursdays there were 838, on Saturdays 1,462, and on Sundays 422."

4238. Are you still of opinion, after reading that statement of Sub-inspector Thynne, that the drunkenness on Sundays is greater than on other days?—I am still of opinion that the drunkenness is very great on the Sundays, but perhaps not more than on Fridays, which is on market-day, and when a large number of the workmen get their wages.

Chairman—continued.

4246. Are there many public-houses and spirit grocers in the district?—There are.

4247. More than its proportion to the whole town?—Yes, rather more than its proportion.

4248. Can you tell us what is the condition of things at present on Sundays in the district?—It is orderly and peaceable; scenes of disorder or scandal are rare, in fact, I may say exceptional.

4249. Should you say that Sunday was a day upon which much drunkenness prevailed then?—No, I should say not.

4250. Do you think it is less so on Sundays in your district than on any other day of the week?—Much less.

4251. Are the public-houses much frequented on Sundays during the hours of opening?—They are, a good deal.

4252. Have any meetings been held, to your knowledge, upon the question of Sunday closing?—I am aware of three.

4253. Can you tell the Committee what happened at those meetings?—I was present at one held in the Ulster Hall on Thursday the 5th of April; I was not present at either of the others; but the first was held on the 24th of February 1875, presided over by the then mayor, Mr. Lindsay. It was held in the Chamber of Commerce;

Chairman—continued.

mercy; and it was attended by a great many of the leading magistrates and merchants of the town, and was also attended by the secretary of the Vintners' Association, and some of the representative men of that association. They were not quite harmonious upon the subject.

4264. Do you know, roughly speaking, how many persons attended that meeting?—The attendance was small; it was not a crowded meeting. I do not believe it was intended or convened as a meeting to show the popular feeling of the working classes; it was not that class of meeting, I think. I was not present at it, but I take that view from the place in which it was held, viz., the Chamber of Commerce. The second meeting was held on the 31st of May 1876; I was not present at that either, but I read carefully the reports of those meetings. The object of that meeting was to memorialise the Government against the proposed amendments in Professor Bynthe's Bill. It was presided over by the mayor, and it was attended again by the principal merchants and magistrates of the town; and it was also attended by a few in the interests of the licensed vintners, who again raised some opposition to the object of the meeting.

4265. Did both of those meetings pass resolutions in favour of the total closing of public-houses on Sundays?—They did, for the entire closing on Sundays.

4266. Will you proceed to tell us of the meeting at which you were present?—I was present at the meeting in the Ulster Hall on the 5th of April of this year, presided over by the mayor, Mr. Preston; and it was addressed by several gentlemen, the honourable the senior Member for Belfast, and some of the English and Scotch visitors to the Temperance League proceedings which were then being carried on in Belfast. It was a periodical meeting of the Temperance League Association. There were, I should say, about a thousand persons present. There was an entire unanimity of opinion on that occasion; there was no opposition whatever; the opinion was in favour of the total closing of public-houses on Sunday.

4267. Was that meeting attended by the working classes?—I cannot say that it was. Undoubtedly there were many working men, many of the humbler working classes, present; but I should say that the majority were not of the working classes. They were more of a superior class to the working classes, more of the shop-keeping class, so far as I could judge; and sitting where I was, in different parts of the hall at different times, and I had a fair opportunity of seeing, there were a good many ladies present, and a good many of the respectable shop-girl class too; but there were some of the humbler artisan class and of the working class present.

4268. Has any other meeting been held on the subject that you are aware of?—Not that I am aware of.

4269. What is your opinion, gathered from other means, of the feeling of the working classes in your district upon the subject?—I have entered into personal communication with numbers of them, and my opinion gathered from them is, that, even including the very humbler classes, the great majority of them are in favour of the total closing of the public-houses on Sunday. I do not mean to say at all that the minority does not comprise

Chairman—continued.

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some of the more respectable of the working classes, because it does. I am sure that the minority would comprise a large number of very respectable artisans and mechanics, who would not be in favour of the entire closing of public-houses on Sunday.

4270. Is there any distinction, as far as you know, in the feeling of the two great religious parties on the subject?—I think there is. I think that, as a matter which has come within my knowledge, the more respectable who are in favour of the houses being open on Sunday belong to the Roman Catholic persuasion.

4271. What is your opinion as to the total closing on Sundays?—My own personal opinion is, that total closing, if made immediately and suddenly, would do violence to the feelings of some thousands of very respectable people in Belfast. I think they would look upon it as causing them very great inconvenience; and those who are most strongly opposed, so far as I can ascertain from them, to total Sunday-closing are in favour of shortened hours. I have not spoken to anyone who would not submit to a shortening of the hours.

4272. What shortening of the hours do you think would be advisable?—Of course I have heard a great many hours mentioned; but my idea is that the convenience of those who use public-houses at present would be fairly met by their remaining open from 2 till 6. I would stay at those four hours for a year or two, fixing the period of time now, thus gradually coming to total Sunday closing without further legislation.

4273. Do you think that the public-houses are more frequented within those four hours than they are from six till nine?—I do not think they are; I think that it is perhaps very much the same during the entire period of their being open. The only day of which I have any record is the 13th of February 1876, and I find that on that day 7,000 persons visited the public-houses between half-past 2 and half-past 3; 7,069 from half-past 3 to half-past 4; 6,850 from half-past 4 to half-past 5; 7,405 from half-past 5 to half-past 6; 6,773 from half-past 6 to half-past 7; and 6,416 from half-past 7 to half-past 8, which would give very much the same number visiting the houses during each hour.

4274. Do those figures relate to your district only?—Those relate to the whole town, the total being 42,333.

4275. Then there does not appear to be any special resort to the public-houses in the middle of the day, for dinner-beer, or anything of that kind?—No; they appear to resort in about equal numbers from the time that the houses are opened till they are closed.

4276. Is there much illicit sale of drink within your district in unlicensed houses?—I should say not at present.

4277. Do you anticipate any increase in illicit sale, if total closing on Sunday were adopted?—I think there would be; I would expect an increase.

4278. Do you think that you would require any increased powers to cope with that?—I believe that if the keeping of drink were an offence under the Act of 1852, our powers are sufficient. As you are aware, it is not an offence at present.

4279. I am referring now rather to illicit sale in unlicensed houses?—Yes, I am aware of that.

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Chairman—continued.

that. It is under the Act of 1872 that we proceed against persons for illicit sales in unlicensed houses, but the offence of keeping is not included in the third section of that Act; and I consider that if it were we would have sufficient power.

4270. Do you think that you would want any further powers of entry?—I do think so. At the present time a constable obtains a warrant, and that warrant applies to the constable alone, who obtains it and does not permit him to hand it to another constable for execution; I do think that unless perhaps under exceptional circumstances a constable should have a warrant before he enters a house in which he suspects illicit sales are being carried on. But I think, also, that in the event of a person being convicted for keeping a shebeen he should be made to labour under some disability as regards entrance by the police for a period of 12 months. I mean that if we succeeded in prosecuting the owner of a house to a conviction, we should have a larger power with regard to that house for the ensuing 12 months; and perhaps even when that house might not be in the occupation of the same person, for they change hands very readily, I would place the house under disability if there were a couple of convictions.

4271. Do you mean that you would give the police the right of entry into that house without a warrant or anything?—I would for a fixed time.

4272. Do you think that the penalties are sufficient for the purpose?—I think that perhaps they are rather light upon the persons who are found in a shebeen. The penalty is 40 s. for a person being found in a shebeen, who is held by the law to be an illegal trafficker in liquor; but, I think, as regards the keeper of a shebeen the penalties are sufficiently heavy. I think that for a first offence a month's imprisonment without the alternative of paying a fine is a heavy penalty; and if a magistrate gives the alternative of paying a fine for the first offence, he can send the owner of the premises to gaol for six months if he does not pay it, the penalty being 50 l. or six months.

4273. Then with regard to illicit sale in licensed houses, that is to say, during the hours at which they ought to be closed, do you think that any further power would be required by you to meet that, if the total closing on Sundays were adopted?—I think that our powers as regards the closing hours are sufficient, and I think that the penalties are sufficient. I think that the enforcement of the law as it stands would meet anything that could possibly arise.

4274. Do the lower classes residing in your district, or do any great numbers of the people generally go out upon excursions on Sundays now?—No, I cannot say that they go as excursionists. They walk into the suburbs two or three miles on a fine afternoon. They go out in thousands in that way and return to the town within three or four hours. I mean that they do not go out on excursions by rail or steamboat; it is not usual. The better classes do in the summer months go on excursions by the railway to Hollywood and Bangor, and some by steamboat, but the lower classes do not.

4275. Do those who go to Hollywood and Bangor, and so on, use the public-houses very much on Sundays, do you think?—Yes, they use them a good deal. I have been sometimes at

Chairman—continued.

Hollywood myself on Sunday, and I have seen them calling at the public-houses.

4276. Do the working classes, when they are walking about the suburbs, use the public-houses much on Sunday afternoons?—They do use them a good deal; but so far as it comes within my own personal observation, I do not say that, perhaps, for every 50 who go out, more than one would go into a public-house. The people do walk out in thousands; but they do not go in thousands into the public-houses, or anything like it.

Mr. Richard Stoyth.

4277. Were you stationed in any other place before you came to Belfast?—I was stationed in Tyrone, in the small town of Aughnacloy.

4278. You have had no experience of towns of from 15,000 to 20,000 inhabitants in Ireland?—No, not as a resident.

4279. From what you know of any of the smaller towns of Ireland, do you think that a considerable number of the population go into public-houses on Sunday?—The particular experience that I had of Aughnacloy was that they did not.

4280. Did I understand you to state that 42,000 persons were enumerated as having entered public-houses on Sunday?—Yes, 42,000 visits.

4281. We have had it stated here that on one Sunday before the Forbes Mackenzie Act came into operation in Edinburgh 41,000 persons' visits were enumerated as having been paid to public-houses in Edinburgh; do you think the grievance felt by the 42,000 in Belfast would be greater than by the 41,000 in Edinburgh by the closing of the public-houses on Sundays?—No, I do not; having regard to the respective populations it is very close upon the same number, I should say.

4282. You say, do you not, that only a small portion of the excursionists use the public-houses on Sunday?—I am not aware of saying anything about excursionists coming into Belfast, but as to those going out of Belfast, yes.

4283. Those going out for a walk in the suburbs?—I scarcely call those excursionists that merely take a walk into the suburbs.

4284. The persons going out for healthy recreation do not as a rule use the public-houses?—They do use them, that is to say, a percentage of them use them. But I wish it to be understood that when I spoke of thousands walking out in the suburbs, I did not mean that thousands visited the public-houses, because I thought that perhaps one in every 50 would about represent the number who did visit the public-houses.

Mr. Maurice Brooks.

4285. Have you read the figures that have been given by Sub-inspector Thynne?—I have.

4286. Do you concur in the accuracy of those returns?—I do.

Mr. Murphy.

4287. Speaking of the 42,233 visits that were paid on Sundays as you have mentioned, have you any idea how many persons that might comprise?—Of course I can only give you an idea. I should say perhaps it might represent from 16,000 to 20,000.

4288. Then each man went twice apparently?—Yes, I should say so. I should also say that that does not include the persons who went into the



*Mr. Murphy—continued.*

the beer dealers and spirit grocers on that day; it was totally exclusive of these.

4288. Those are the people that went into the public-houses of licensed victuaries?—Yes, houses licensed for consumption on the premises.

4289. You, of course, have had frequent opportunities for observing the demeanour of those people?—I have.

4291. Is it your opinion that the majority of those who went into these public-houses got drunk?—It is my opinion that they did not.

4292. Is it your opinion that the majority of those people who went into these public-houses were the worse for liquor?—That requires to be defined.

4293. Did they take more than they ought to take?—That is doubtful again. I do not know. Some people think that taking any is too much.

4294. Is it your opinion that the majority of those who went into these public-houses showed signs of inebriation?—Again I have some difficulty about answering that question.

4295. Is it your opinion that the majority of those who frequented these public-houses were intemperate?—I will tell you what I say if the answer will satisfy you. I say that 95 per cent. were not so influenced by drink on coming out as to be a cause of public scandal.

4296. In other words, would you say that the majority of those that went into these public-houses abused their opportunities?—No, I say not.

4297. You attended, you told us, a meeting in the Ulster Hall, and I think you said that it was attended by about 1,000 persons?—Yes, so I computed roughly.

4298. Is it your opinion that three-fourths of that meeting was composed of the working-classes?—I have given my opinion already; I do not think so.

4299. Is it your opinion that one-half of them were working-men?—No, that was not my opinion.

4300. Or one-fourth of them?—I will not say that.

4301. Of course you have from your experience been enabled to form some opinion as to the likelihood of the persons who use public-houses on Sundays, and do not abuse them, acting in evasion of the law in case the houses were closed altogether on Sundays?—I have considered that.

4302. In the case of the people who think it no harm to take a pint of porter or take a glass of grog, which is no harm in itself, what do you think that they would be likely to do if they were deprived of the opportunity of temperately enjoying themselves as they do now?—I think if you deprived them of what a great many of them now esteem to be a privilege suddenly and at once there are many men who never visited a shabreen, perhaps, in their lives who would do it then.

4303. In other words, is it your opinion that the sudden closing of public-houses on Sunday would teach persons to evade the law who do not think of it now?—I think that it might have the effect of placing them in a position of antagonism to the law, that is to say, the sudden closing; and, therefore, I gave it as my opinion, for what it may be worth, that to come gradually to what you may consider to be the best thing would be better than doing it suddenly.

4304. Of course you know that persons who

*Mr. Murphy—continued.*

take a moderate drink, which is no harm in itself, would feel it a grievance if the law said that it should not be done and prohibited it?—I do not know so much about the grievance; they would be inconvenienced undoubtedly.

*Mr. Bruen.*

4305. Should you say that the opinion in Belfast in favour of closing public-houses on Sundays was a unanimous opinion?—I would say that amongst the better classes the feeling in favour of total Sunday closing is nearly unanimous, but I would say that amongst the humber classes there is not a unanimity of feeling, but that even amongst that class the great majority of them are in favour of total closing on Sundays.

4306. Is the class that you say is unanimous the class that principally uses public-houses on Sundays?—No, it is not.

4307. So that it is in the class which uses public-houses that the difference of opinion exists?—It is.

*Mr. William Johnston.*

4308. With regard to the day meeting, which took place in the Commercial Rooms; from what parties did the opposition to the Sunday closing come?—It came from the publicans, and those interested in the publicans.

4308. At any of the meetings that took place was there any opposition raised on the part of the working classes?—None whatever.

4310. Has there been at any time from any section of the working classes any opposition to Sunday closing?—There has not, that I am aware of; I am only aware of those three meetings.

4311. The attendance at the meeting in the Ulster Hall, at which you were present, you have stated was about 1,000; is it not the habit of the working classes of Belfast, when they attend meetings, to be very well dressed, and to look very respectable?—It is.

4312. Might it not be possible that a very large number of those who are considered as belonging to other classes may after all have been well-dressed artisans?—They may; I said in answer to the honourable Member for Cork that I would not say there were not quite half, or perhaps more, of that class, I could not distinguish them.

4313. I am glad to find that your opinion agrees with that of Mr. Thynne, that Sunday generally is a very orderly day in Belfast?—Very orderly.

4314. Do you think it would be less orderly if the public-houses were closed totally?—No, I do not think it would; I do not think that anything would make a very great difference in Belfast, because the people are very orderly on Sundays, particularly so.

4315. Your opinion also agrees with that of Mr. Thynne, that the great majority of the working classes in your police district are in favour of total closing on Sunday?—They are.

*Mr. Sullivan.*

4316. The honourable Member for Cork asked you if people who take a moderate drink would not drink it a grievance if the law said they should not take it; as a matter of fact, does not the law say to them at present that they shall

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*Mr. Harrel.*

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Mr. Sullivan—continued.

not drink, moderately or otherwise, at certain hours of the 24; are not the houses closed during certain hours?—Yes.

4317. Then the law does interfere with them?—It does.

Chairman.

4318. The meeting of 1,000, was not that a large meeting in the Ulster Hall?—No, the meeting was not a large one in the Ulster Hall.

Mr. Richard Smyth.

4319. The honourable Member for Cork asked you whether any law with reference to Sunday trading in liquor would lead to evasions of the law, and you stated that in your opinion that it would; could you imagine any new law of a restrictive character that would not lead to evasions of it; would it be possible to enact any law of a repressive or restrictive character in this country that would not lead to evasions of it by some persons?—The shortening of the hours would be restrictive, and I think that the law, even if the hours were shortened, would not lead to any

Mr. Richard Smyth—continued.

very great evasions; I think that it could be kept very easily within control. But I meant that if the houses were altogether closed up the evasions of the law would be considerable.

4320. I suppose the law against stealing poultry will tempt some people to evade that law who were inclined to steal poultry?—Of course, any restriction will tempt people to evasion, and the greater the restriction the greater the temptation.

4321. The business of the police and the magistrates is just to stop evasions, is it not?—That is their business.

Mr. Maurice Brooks.

4322. The law against stealing poultry is not the whole law of the land; there are other laws besides the law against stealing poultry?—Yes; if a man takes what is not his own, he breaks the moral law.

4323. There is no Mosaic or Scriptural law against a man having wine on Sundays?—No, not in Scripture.

Mr. JOHN SHERIDAN MACLEOD, called in; and Examined.

Chairman.

4324. WHAT position do you hold?—I am resident magistrate at Cork.

4325. How long have you held that position?—I am resident for eight years in Cork, but I am going on 16 years as resident magistrate.

4326. Have you had under your consideration the proposal to close public-houses entirely on Sundays?—Yes, I have.

4327. What is your view of its applicability to the city of Cork?—I do not think it would be applicable to the city of Cork to close them entirely; but to restrict the hours I think would, and that is pretty well the general opinion of the people there.

4328. Why do you not think it would be proper to close entirely?—Because people have been accustomed to it, and wish for it; and certainly, to look at the statistics of drunkenness on Sundays, it is not a criterion to go by.

4329. You mean that the people have been accustomed to the houses being open?—Yes.

4330. What in your opinion is the feeling of the people in Cork upon the subject?—The feeling of the people in Cork, I can say with confidence, is to limit the hours on Sundays, but not to entirely close upon the Sunday.

4331. Are the public-houses much used in Cork upon Sundays?—Yes, pretty well; they are fairly frequented.

4332. How is Sunday usually treated in Cork?—Amongst the lower order, after a certain hour, it is regarded as a day of relaxation and enjoyment after 2 o'clock. A great number of people leave Cork and make excursions into the country in the summer months, and vice versa, the country people come into Cork to enjoy the beauties of the city.

4333. Are there many excursion trains or steamers from Cork on Sundays?—Nearly every Sunday there are perhaps one or two down the river to Queenstown, and in that direction.

4334. To say other places down the river?—Yes, Aghada, and all that line of country, and Crosshaven.

Chairman—continued.

4335. Do the people who go down there take refreshments at the public-houses in those places on Sunday afternoon?—I suppose they do. I am not quite certain of that, because I think they very often bring their refreshment with them going down.

4336. Do they get refreshment on board the steamer?—I do not think they do to any very great extent, but I know they have a license on board those small steamers; those are what they call "river steamers."

4337. Are those places, or any of them, within the municipal limits of Cork?—No, none of those places that I mention now are within the municipal limits of Cork.

4338. Supposing that total Sunday closing were adopted for those places, although it were not adopted in Cork, what do you think would be the effect upon those excursionists?—I think the excursionists going out of the city very often carry their own refreshment with them. I do not think it would tell nearly so much upon them as it would upon people coming into the city, for excursionists coming into the city I do not think bring their refreshments with them; they trust to getting it in the city.

4339. You think that the total closing upon Sunday of public-houses in those places to which the excursionists go out would not be felt as a great inconvenience?—I do not think it would be as much felt outside as it would be inside the city.

4340. Do a good many people come in?—Yes, a great number in the summer months, particularly between May and October; there are generally two or three excursions on Sunday.

4341. What sort of number, do you suppose?—Very likely 1,000 excursionists, sometimes more and sometimes less, in the course of the day.

4342. Do they get their refreshments at public-houses in the city?—Yes, in public-houses in the city; they do not bring anything in with them.

4343. Do they come from any distance?—  
Yes,

Chairman—continued.

Yes, they come from all round; they come from Macroom, Millstreet, Mallow, and sometimes from Limerick even.

4344. They come from a sufficient distance to be considered legally *bona fide* travellers?—They do.

4345. Therefore, if an exception to total closing were made to meet the case of *bona fide* travellers, their wants would be met?—I am not quite so sure of that, because, as it is now, if a man takes out only a six-day license he is not bound to entertain any person upon the Sunday. By the law as it stands now; he only takes out a six-day license, and the seventh day he has no person in the shop at all. He and his family all go away; they go off for enjoyment. I do not know that it is compulsory for him to entertain people.

4346. Of course the passing of the Bill now before the Committee would abolish, would it not, the distinction between the six-day and the seven-day licenses, unless it were decided that certain houses only should be allowed to entertain *bona fide* travellers?—I think it would; but when people come into the city, you would require to extend to them what they call an exceptional license, so as to meet the requirements of a large body. I do not know that the publicans would remain in their shops to accommodate those who come in in that way.

4347. If all the publicans were allowed to receive *bona fide* travellers, do you think it might not be worth their while to remain in their shops for the custom that they would get?—I do not think it would.

4348. Do not you think there might be another evil, that a good many persons would represent themselves to be *bona fide* travellers who were not, and thus give the publican a good deal of custom?—I think that the publicans would look to that. I do not think that they would be likely to be imposed upon, because the publican in many cases requires to see their tickets. I know that in one or two cases which have been prosecuted, the publican insisted upon seeing the tickets before giving the drink, and that is a check upon the people in that respect.

4349. That is, supposing the man goes by railway?—Yes, supposing he goes by railway; but it is only by railway that they come into the town principally.

4350. Besides the excursionists, are there a good many people in Cork who use public-houses on Sunday?—Yes, a great number.

4351. Do you consider that there is much drunkenness on Sunday in Cork?—No; quite the reverse. I think there is less drunkenness on Sunday than on any other day in the week.

4352. Have you any figures which would tend to prove that?—Yes; I have had a return prepared of the arrests for drunkenness on Saturday and Sunday before the recent Licensing Act and three years after, just to show the effect of the Licensing Act upon them. In the year 1869 there were arrested on Saturday 646, and on Sunday in the same year 272; in the year 1870 there were arrested on Saturday 503, against 256 on Sunday in the same year; and in the year 1871, that is to say, just immediately before the recent Acts had passed, there were arrested 463 persons on Saturday, against 231 on Sunday. Those were the three years immediately preceding the recent Licensing Act of 1872. During the three years after that, in the year 1874, on

Chairman—continued.

Saturday there were arrested 635, and on Sunday, in the same year, 297; in 1875, 630 on Saturday, against 286 on Sunday; and in 1876, 630 on Saturday, against 378 on Sunday. The summary of that is, on Saturday 1,511, and on Sunday 758, before the passing of the Acts, and afterwards 2,085 on Saturday; that is, showing an increase of 793 since the passing of the recent Acts of 1872 and 1874.

4353. To what do you attribute that increase?—The increase of drunkenness I attribute altogether to the prosperity of the people, the increase of the wages, and also the recent Licensing Acts, no doubt, have introduced a new element, so far as drunkenness is concerned, because they make it an offence under the recent Licensing Act to be drunk in a public-house, an offence that the former Acts never contemplated; that increased the number to a slight extent, but not to a very appreciable extent. I can also give the Committee some more statistics; I have a return of the arrests for drunkenness on Sunday, Saturday, and Thursday; I take an ordinary week-day as well as Saturday, for the five years ending 1875, and I will give the total; on Sunday there were arrested 1,411 persons for the five years; on Thursday, that is, an ordinary week-day, there were arrested 1,072, and on Saturday 3,281; that shows about five arrests on Sunday against six on Thursday, and against 12 on Saturday.

4354. Do you think there are fewer arrests on Sunday than on any other day in the week?—I think so.

4355. The number that you have taken on Sunday, I presume, would be from 12 o'clock on Saturday night till 12 o'clock on Sunday night?—Yes.

4356. Why do you think that there are fewer arrests on Sundays than on weekdays?—I think perhaps there may be more drinking, but less intoxication, on Sunday.

4357. For what reason?—It is a day of rest and a day of kindness, and it is also a day of relaxation amongst the people. They go into a public and meet their friends, and what I consider very objectionable, those; that is to say, they continue a long time soaking in the public-houses, and, consequently, there are less arrests of people actually drunk.

4358. I do not quite understand why, because one would imagine that the longer they were in a public-house the more likely they are to be drunk?—They may remain in the public-houses chatting with their friends and boozing there, but not getting drunk—continually “soaking” as they call it in Ireland.

4359. You think that although you do not consider total closing advisable in Cork, you think that the hours might be shortened, do you not, with advantage?—Yes, that is the general impression amongst the people in Cork.

4360. What hours should you recommend for the houses to be open?—From 2 o'clock till 5 or 6 o'clock.

4361. Do you think that that would meet the requirements of the people?—I think it would.

4362. And prevent the boozing that you have told us of so long at a time as it is carried on now?—Yes, it would shorten that.

4363. Do you think that if the public-houses were open for a certain number of hours in Cork on Sundays, but were closed in the neighbouring districts,

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Chairman—continued.

districts, there would be a danger of any large number of people coming into Cork in order to drink?—I think that is very possible; indeed, I think there would.

4364. Do you see any means to remedy the evil that might arise?—No, I do not, unless you extend it to the outskirts of Cork; in the suburbs of Cork alone there are several small villages within a radius of four miles, with perhaps a couple of public-houses.

4365. Is there much illicit drinking in Cork in unlicensed houses?—Scarcely any at all, as you will see, when I tell you that for three years we have only had 17 cases of illicit drinking in unlicensed houses. In fact, we have no spirit grocers at all in Cork.

4366. They are licensed houses, are they not?—They take out publicans' licenses.

4367. When I speak of unlicensed houses, I mean houses holding no license of any kind?—Those are shebeens, and we have only had 17 cases of these within three years.

4368. Do you think that if the licensed houses were closed entirely on Sundays, there would be any danger of an increase of that?—Yes, I think there would; I certainly think it would advance shebeening.

4369. How do you think that might be met?—I do not know how you could meet that, except by leaving the public-houses partially open. I would much rather have public-houses partially open under the control of the constabulary than have shebeen houses, which of course are not very easy to detect.

4370. Are there many cases of drinking in the prohibited hours in licensed houses that came before you?—I have just made a summary of that, and I think we have very few, only about 40 in a couple of years. The publicans watch each other so very closely that it is very difficult for them to carry on an illicit traffic in drink.

4371. Is there much beer drinking in Cork, or is it principally whisky drinking?—I think it is principally whisky drinking; a good deal of beer too is consumed there, no doubt.

4372. Is the harm principally done, so far as drunkenness is concerned, by drinking whisky?—Yes; if the two are mixed a deal of harm is done.

4373. The licenses allow those who hold them to sell both do they not?—Yes, both.

4374. Have you no beer retailing?—We have beer retailing; but not to be consumed on the premises.

4375. Do you think any change in the law would be advisable in that respect?—I think it would be very desirable, if possible, to separate the two.

4376. How would you do that?—Have a license to enable them to sell beer to be consumed on the premises separate from whisky altogether.

4377. But that would apply to all the days of the week; you are not adhering to that in any way with reference to Sunday alone?—Very likely it would limit the number of people selling whisky if a higher duty was put upon it; it would not limit it to Sunday alone, but it would give rather increased facilities for people to take out a beer dealer's license to be consumed on the premises, not a retail license.

4378. Have any meetings been held in Cork on the subject of total Sunday closing that you

Chairman—continued.

are aware of?—Yes, I am aware that there have been two meetings held, one of which was a public meeting held about six months ago, presided over by the mayor.

4379. Will you tell us anything that you know of those meetings?—The trades had a meeting, and I saw that a number of the corporation brought forward a resolution upon it for curtailing the hours upon Sunday.

4380. Can you tell us what happened at those meetings?—They passed resolutions, and at the meeting of the corporation I think it was referred to a committee, but I do not know what the result was. The trades passed other resolutions connected with their own body against total Sunday closing.

4381. Did both meetings decide against total Sunday closing?—Yes.

4382. Was there a difference of opinion?—Not that I am aware of.

4383. Do you mean that they were unanimous against total Sunday closing?—Yes, the meeting at the corporation was for restricting the hours, but against total Sunday closing, as it was class legislation as they call it.

4384. Were these meetings largely attended?—The meeting at the court-house was very largely attended; the other meeting of the trades was very sparsely attended as I saw by the papers.

4385. Have you any idea how many people were present at each?—At the trades meeting there were very few indeed. I could not form an opinion about how many, but the other was very largely attended. I should say very likely there were 500 or 600 there. I was not present at the meeting, but I heard so.

4386. Have any meetings been held in Cork which have decided in favour of total Sunday closing?—No, not that I am aware of.

4387. Do you think that the opinion expressed at the two meetings that you have told us of represents the opinion generally prevailing in Cork?—I think it represents the general feeling; that is to say, against total closing on Sundays, and accepting the alternative of limited hours. I think that would be acceptable to all the Cork people generally. Of course there is a very respectable minority that would go in for the total closing of the public-houses.

Mr. Richard Smyth.

4388. You have never heard of any meeting convened in the park at Cork in favour of the Sunday Closing Bill, have you?—No, I do not think I did; I am pretty certain I did not; it might have occurred without my taking any notice of it.

4389. Do you remember any anti-Sunday closing meeting announced in the park?—No, I do not. My attention perhaps was not so much called to it as on later days, since is created such sensation, and very likely it passed away from my recollection. I live opposite to the park itself, and I know that every Sunday there are some discussions going on there about the evils of intemperance.

4390. You never heard of any meetings in favour of the Sunday Closing Bill at Cork?—No.

4391. Could such meetings have been held without your knowing it?—Yes, they could have been held without my hearing of it.

4392. From

Mr. Murphy.

4392. From your knowledge of the habits of the people of Cork, generally speaking on a Sunday, is it a fact that a vast number of them leave Cork for greater or lesser distances, and either go down the river or walk into the country with their children, or without them?—Yes, in vast numbers, thousands.

4393. You know Mr. Hamilton, who was formerly sub-inspector in Cork, and now resident magistrate of Maryborough?—Yes, I do.

4394. Would you coincide with the opinion that he gave when examined upon a similar Bill to this, that 40,000 to 50,000 of people sometimes leave Cork on Sunday, taking them altogether, and go greater or lesser distances from their homes?—I do not know that I could go up to that extent, but it would be an immense number; say 5,000 or 6,000.

4395. They go down the river to various spots about the harbour: Queenstown, Monkstown, Crosshaven, and Aghada, do they not?—Yes.

4396. Is it a fact that at those various places that they go to they are in the habit of enjoying themselves, getting refreshments, meeting together, and sometimes having a dance on the sea shore, and innocently amusing themselves in that way?—No doubt.

4397. Is it your opinion that the habits of the people of Cork are so formed in respect of taking their innocent recreation and amusement, that if the public-houses were totally closed in those districts which they go to, it would be a great inconvenience?—I am sure that they would consider it a great privation.

4398. How many persons do you think the courthouse of Cork would hold?—I suppose about 800, on a rough guess.

4399. How many, with the galleries packed as close as they could hold?—I could not really say. I think it might be about 800 or 900, or perhaps 1,000.

4400. Are you aware that the meeting of the trades, of which you gave the number, was merely a meeting of the delegates of the trades?—Yes.

4401. Is Cork sedately on Sundays?—Remarkably.

4402. And quiet?—Remarkably so.

4403. Is it your opinion, or is it not your opinion, that that day, of all other days in the week, the least requires the total closing of the public-houses?—I think so.

4404. And do you think that it would be a manifest infringement upon their habits, upon their recreation, and upon their taste, if they were to be closed?—I think they would regard it as such.

Mr. Martin.

4405. Do the trains run frequently on Sunday along the line of railway in Cork?—Every half-hour on Sunday.

4406. Are the excursions made only during the summer season, or are they made also during the winter time?—Principally, in fact altogether I may say, during the summer season.

4407. I suppose that going to a distance like Queenstown, or some of those other places that you have mentioned, they would be in the position of *bona fide* travellers, and entitled to obtain refreshments?—Yes.

4408. Are the houses open at Queenstown for the purpose of accommodating visitors from G.S.B.

Mr. Martin—continued.

Cork on a Sunday?—I suppose they are. There are very seldom any excursions from Cork till after about two o'clock, and then the public-houses are all open, as I said, on Sunday.

4409. At what time are those excursions conducted in general?—In summer time at eight, nine, and 10; they are all the time out enjoying themselves.

4410. Do the people drink beer or porter to any considerable extent in Cork, or do they generally drink spirits?—I think that it is pretty well divided. I think that they generally take them both. I would not say that they are more of a beer-drinking people than a whiskey-drinking people.

4411. Is there any considerable demand for dinner beer on Sunday from the public-houses?—I am not aware that there is; I do not think that Cork men ever think of sending out for dinner beer; I do not think that they have that habit inculcated.

4412. How do they provide whatever beverage they take in the way of beer on a Sunday?—They go into the public-houses and enjoy it there with their families.

4413. They do not take it at their meals?—I never knew an instance where they sent out for it, even the well-to-do mechanics.

4414. What do they take with their meals; at dinner, for instance, on Sundays?—Water, I suppose, and then they go and refresh themselves after their meals, and enjoy what they consider the luxuries of a public-house with their families, and sometimes it is abused.

4415. At what time is the day ended; and are the streets quiet or deserted in Cork on Sunday evening; at what hour do the people generally go to bed?—In winter they go about nine, and in summer about ten o'clock; it depends a good deal upon their fancy in that direction.

4416. How late do the trains run on Sunday evening?—Ten o'clock, the principal train; that is the Queenstown train.

4417. The excursion trains would arrive about 10 o'clock, I suppose?—I must tell you that the principal excursionists going down the river go on board what they call the river steamers; it is very seldom that the excursionists go by train.

4418. Do they provide refreshments on board the river steamers on Sundays?—I do not think they do; I think that a great number of them club together and bring enough refreshments down the river with them.

4419. At the railway stations are the refreshment rooms open at Cork on a Sunday, and along the line?—Yes, at Cork, but there is no refreshment-room at the Queenstown Station at all.

4420. Is the refreshment-room open during all the day at Cork on Sunday?—No, it is only open during the time that the trains are coming.

4421. The hours of divine service in Cork begin, do they not, at 12 in the day?—Yes, beginning at 12, and ending about two.

4422. Is there evening service, generally?—Yes; generally you may consider that service is over about half-past seven, and the Roman Catholic service perhaps a little earlier; but I am speaking from recollection merely.

4423. The hours of service would be about from 12 to half-past one or two, and from about five or six till half-past seven, I suppose?—Yes.

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4424. The

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Mr. Maurice Brooks.

Chairman—continued.

4434. The practice of dancing on the sabbath on Sunday, amongst people who are perfectly sober, is not looked upon as being of an irreligious or sacrilegious character in the south of Ireland, nor is the practice of music considered profane by the Roman Catholics?—I do not think it is considered profane by Roman Catholics, if you ask my opinion; but as I happen to be a Protestant, I cannot speak with any authority on that point. I may as well tell you, with respect to dancing, that I thought you referred more particularly to dancing in public-houses, and I am happy to tell you that we have no dancing in any public-houses in Cork; we have stopped it.

4435. Do you know whether in Scotland and in the north of Ireland dancing, even by the most sober, would not be looked upon as irreligious and unlawful?—I think the people in the north of Ireland, the Presbyterians, are very strict upon those things; I think that dancing would always be looked upon as very irreligious by them.

4436. As to the people in the south of Ireland, on the whole, their opinion is totally different?—They do not go in for that at all.

4437. The people in the south of Ireland hold a totally different opinion with regard to religious observances on Sunday, do they not?—I think they do. I have heard it said, even by Roman Catholics, that after a certain hour of the day it was a time for what you call innocent recreation and relaxation, instead of for devotional exercise. I have heard that said, but I cannot speak with authority upon the point.

4438. Having had, as I understand you to say, much experience of the people of the north of Ireland, are you able to inform the Committee that the feelings as to the observance of the Sabbath are totally different in the north to what they are in the south?—I can say without any hesitation that they are far more strict in the north of Ireland with respect to the observance of the Sabbath than they are in the south.

Chairman.

4439. Can you tell the Committee how many public-houses there are in Cork?—We have in Cork 511 public-houses, and of that number there are 29 holding six-day and early-closing licenses, and we have of wholesale beer-dealers' licenses, 12; of beer-dealers by retail we have only six, and we have no spirit-grocers. It may not be, perhaps, uninteresting for you to hear that we have had no prosecutions at all for eight years in Cork against beer dealers, because they only keep stores, and when the day is over the stores are locked up.

4440. Wholesale beer dealers, you mean?—No; I mean beer dealers by retail, not to be consumed on the premises. We have had no prosecutions against wholesale beer dealers either.

4441. Are there more than two beer retailers in Cork?—We have six beer dealers by retail, and we have 12 wholesale beer dealers.

4442. How many publicans hold six-day licenses only?—We have 17 that hold six-day licenses only.

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4443. What is the population and area of Cork?—The population in 1871 was 78,651; the area of the municipal boundary is 2,683 acres, and the number of houses is 13,878.

4444. Have you any knowledge of the house-to-house canvass which was carried out in Cork in 1876 by the Sunday Closing Association?—No; I have no personal knowledge of it, nor did I even hear of it until I saw it brought out in the examination of some persons here.

4445. You do not know how it was conducted at all?—I have no idea at all.

4446. Will you tell us how many convictions there have been in the years 1869 to 1876 for illicit sale?—I can only mention two years to you with respect to the prosecution of publicans for illicit sale. In the year 1875 we had 25 convictions, and in 1876 we had 32 convictions.

4447. That is for sale in prohibited hours, is it not?—Yes.

4448. Do not those convictions show a great increase in the number in the past year?—It shows a very considerable increase.

4449. Will you just look at that Table as it stands (*Handing a Paper to the Witness*), and state its contents to the Committee?—It is a return of the number of convictions for the illicit sale of liquor on Sundays during the period from 1869 to 1876: in 1869 there were two in unlicensed houses, and five in licensed houses, in prohibited hours; in 1870 we had eight in unlicensed houses, and seven in licensed houses; in 1871 we had one unlicensed house and six licensed houses; in 1872 we had three unlicensed houses and eight licensed houses; in 1873 we had one unlicensed house and nine licensed houses; in 1874 we had four unlicensed houses and five licensed houses; in 1875 we had three unlicensed houses and 15 licensed; and in 1876 we had six unlicensed houses and 24 licensed houses. That may be explained in this way: the recent Acts, that is to say, the Acts of 1872 and 1874, made several offences that had not been previously offences against publicans cognisable at petty sessions.

4450. That Table does not refer to cases of permitting drunkenness, is it simply the sale in prohibited hours?—That may be perhaps added up with it.

4441. You cannot explain what the reason of this increase is?—No, I cannot, unless it is what I have suggested.

Mr. Murphy.

4442. In the return which you gave us a short time ago of the number of convictions for sale in illegal hours, you did not mean the number of public-houses convicted; it was the total number of convictions?—The total number of convictions for the years I mentioned.

4443. But those convictions did not specify each public house; there might have been 10 convictions in one house?—Yes, there may have been two or three in each house.

4444. In other words, the number of convictions do not show the number of public-houses?—No.

*Tuesday, 17th April 1877.*

MEMBERS PRESENT :

Sir Michael Hicks Beach.  
Mr. Maurice Brooks.  
Mr. Bruen.  
Dr. Cameron.  
Colonel Cole.  
Marquess of Hamilton.  
Mr. Ion Hamilton.

Mr. William Johnston.  
Mr. Meldon.  
Mr. Murphy.  
Mr. O'Shaghnessy.  
Mr. Richard Smyth.  
Mr. Sullivan.

THE RIGHT HONOURABLE SIR MICHAEL HICKS BEACH, BART., IN THE CHAIR.

Mr. JAMES KAVANAGH, called in; and Examined.

*Chairman.*

4445. I THINK you are Secretary, are you not, of the Dublin Spirit Grocers' Association?—Yes, I was secretary for some years, and I have lately become Secretary again.

4446. You are anxious, I believe, to make some statement to the Committee on behalf of the association?—Statements have been made before the Committee by Mr. Dwyer, the Secretary of the Vintners Society, and by Mr. Russell, Secretary of the Sunday Closing Committee; the assertion was, that the spirit grocers are in the habit of persistently trafficking at prohibited hours. In my position as secretary, every summons that is issued against a member of the trade comes under my notice, and I can flatly contradict the assertion that has been made. There is no such thing as any violation of the law by spirit grocers after hours; there may be isolated instances, but there is nothing at all in the shape of systematic violation of the law by spirit grocers at illegal hours. I not only assert that, as secretary of the association, but from my own observation as a citizen of Dublin.

4447. You mean that the spirit grocers are not, as a body, liable to the charge of keeping open their shops for the sale of liquor during closing hours?—They are not.

4448. Does your association comprise the whole body of Dublin spirit grocers?—They do not, they comprise about half, I should say about 130 or 140 in round numbers.

4449. You speak, do you not, on behalf of your association?—Clearly; but I have a general knowledge of the state of things outside the association. I should state, as an explanation of this matter, that in order to be in a position to give official figures for my assertion, our solicitor made an application to the magistrates for an inspection of the books of the court, to see the number of convictions against spirit grocers for selling liquor during the illegal hours, but the magistrate said that it was against the custom of the court; so that I had to come without special figures; but an inspection of the magistrates' books would, I firmly believe, prove the truth of my assertion.

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*Chairman—continued.*

4450. I think the charge which has been generally made here against spirit grocers, if any charge has been made, was rather that of selling on the premises, whereas they were only really allowed to sell for consumption off the premises?—A great number of summonses and convictions have been issued against them for selling on the premises. I will make my answer to that as short as possible. Under the 62nd Section of the Act of 1872 almost any transaction that takes place in a spirit grocer's shop may be construed into a sale for consumption on the premises. It is not necessary for the magistrate to hear that any money passed or any evidence that any money passed for drink, or that any transaction in the nature of a sale actually took place; if the magistrate, after hearing evidence, believes that a sale had taken place or was about to take place, the spirit grocer, under those circumstances, in order to defend himself, the only thing he can do is, to summon his customer to the court, but if he does so his customer will not enter his shop again. Many instances have occurred within my own knowledge where a customer is lost by that means. I have been told by customers who were in the shop that no drink was consumed, or perhaps it might be a small quantity given as a treat by the publican, after perhaps a large sale of grocery or other things of the kind. A great many of these cases go by default in the court through the fact that the grocer cannot bring his customer into the court without running the risk of losing him altogether.

4451. There are a considerable number of convictions against spirit grocers for that offence, are there not?—There have been, I admit.

4452. I think it has been suggested by witnesses who have given evidence here that spirit grocers should be restricted in these sales, and should not be allowed to sell less than a pint bottle, for instance, at a time; what have you to say to that?—My reply to that would be, that the spirit grocers chiefly exist in Dublin in those new districts of the city that have grown up within these last few years; that is where they chiefly exist, and where no licenced house exists

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Chairman—continued.

at all. Where, through the action of the late recorder, no license has been granted at all for a retail house, and I would consider it a very great hardship. I lived in one of those localities myself for some time, on the South Circular-road, and I would consider it a very great hardship if I wanted in my own house, say a dozen of porter, or a quart of whiskey, to have to send half a mile to a retail house; although living within the city boundary, for I lived in Curiale-street, there was no public-house in it; there was one in Clamhams-street, and another in Camden-street. There were four or five spirit grocers' shops along the Circular-road, within easy reach of me, and it would operate in this way: There are several new localities that have grown up about Dublin, in which not one single licensed house exists, and I think it would be a very great advantage if those public-houses which exist in localities which were thought to be respectable at the time those licenses were granted, were removed to those new streets. In Marlborough-street, there are at the present time 18 licensed retail houses. The honourable Member for Dublin knows that that is an unfrequented street, and one in which there is very little trade, or very little business at the present time, and if the proprietors of those retail houses could take their licenses from Marlborough-street, where they are not required, to the new localities which are springing up every day round Dublin, I think that the distribution would be fairer, and that the class of traffic which is carried on at present in some of those houses in Marlborough-street would be prevented. In some three or four instances that I know myself they are supported by women of bad character, and other cases of the kind, but the licensed party has no resource but to let them, in order to support himself, because the number of public-houses is so great in those localities; the distribution of the public-houses of Dublin has been the cause of the existence of spirit grocers.

4453. You think that if the existing number of public-houses in Dublin were more evenly distributed throughout that district, there would be no reason why a spirit grocer should be allowed to sell less than a pint at the time?—There would not be the same reason at all, and there would be fewer violations of the law; in fact, I do not believe there would be any violation of the law at all. To give another instance which the honourable Member for Dublin is very well acquainted with, Berkeley-road; a new locality which has sprung up there within the last few years; there is not a single licensed house in it, no house for consumption on the premises at all, and in the other localities, in the South Circular-road, in which I lived myself for a considerable time, there was no house for consumption on the premises.

4454. It is not a question of consumption on the premises, but as to the purchase of a glass of whiskey for consumption off the premises?—I have a return showing the number of convictions against spirit grocers for consumption on the premises, but chiefly in those localities where no public-houses exist, and where you have a long distance to go to a public-house.

4455-6. Do the spirit grocers, when you represent, do much business on Sundays?—They do no business; they do not traffic at all at illegal hours. A great number of spirit grocers on Sunday only open for a limited time. I should say

Chairman—continued.

nearly half, or a large number at least of the members of the association, only open for a limited number of hours on Sunday; not the number of hours the law allows. There is a rule of our society, I should say, that any member summoned and convicted for selling at illegal hours, either on Sunday morning or after hours, is expelled from the society; that rule has never been known to be infringed but once, and in that case in which it was infringed the party is now out of the trade. If he had not gone out of the trade immediately he would have been expelled under our rules.

4457. A great many of your association are in favour of total Sunday closing, are they not?—They are in favour of a limited closing; they are not in favour of a total Sunday closing. They believe that if they had got time to serve their customers, that would be sufficient. There is a mistake in a little matter in evidence which has been given here; I mean from my observation in Dublin, that there is an increased consumption of beer as compared with whiskey some years ago. The consumption of porter is very much on the increase in Dublin amongst the working classes, but the consumption of whiskey, so far as I can observe, is lessening.

4458. Are you aware whether many of the members of your association signed the documents which were sent round canvassing the trade upon the subject of Sunday closing?—I was not secretary at the time that they were sent round; I had ceased to be secretary, and I do not believe from my knowledge that any of them signed it, or at least very few of them. I do not know any member of my association that signed it.

4459. Does your association represent the better class of spirit grocers, those who occupy highly rated premises?—The very highly rated premises do not belong to our society, such as Messrs. Kinahan, who have spirit grocer's licenses, and Finnlater and Campbell, and others. I think they hold spirit grocers' licenses, and they do not belong to our society, but then they are large merchants, who sell entirely wholesale, who do not sell quarts of whiskey, or half gallons, but they sell by casks and so on. The better class of those spirit grocers, who sell in the ordinary way, belong to our society. At the same time there are others perhaps, just as respectable outside, who do not belong to it. I know some exceedingly respectable men who do not belong to it.

4460. Take the smaller spirit grocers, whose premises are rated perhaps below 15 l.; would they be members of your society, as a rule, or not?—I should say that there are very few under 15 l.; I do not believe there are half a dozen. I do not wish to enter into the question, but the ratings in Dublin are very low. I think the new Irish Valuation Bill, if it becomes law this Session, will settle that question, as there will be very few under 15 l. valuation.

4461. What would be the opinion of your association supposing the Bill now before the Committee, while permitting publicans or a certain class of publicans to sell to bona fide travellers on Sundays, and with that exception imposing total Sunday closing for bad spirit grocers, to sell to bona fide travellers at all?—The spirit grocers are not in the habit of selling to travellers, and they have expressed no opinion upon the



Chairman—continued.

the matter because they do not sell to travel, less.

4462. Then such a law would not be felt as a hardship by your association?—Not at all; it would not be felt as a hardship, because they have nothing to do with travellers.

4463. Do you wish to make any further statement to the Committee?—Just a very short one. My committee are under this impression, that there is not a necessity in Dublin for the different classes of licenses which prevail there, and they desired me to state to the Committee here that it would be desirable to bring about what you may call a uniformity of license. Say those localities which have grown up in the city where spirit grocers do exist, and where, in the judgment of the police of the district, there is a necessity for a retail house, if a regular retail license was granted they may abolish the spirit grocer's license altogether. There is a general feeling to that extent, that the police have a regular supervision over those houses, which perhaps they have not in the case of spirit grocers, and there is less injury done because the control is over them, and their general opinion is that there is no necessity for two classes of licenses, as a matter of fact.

4464. Do you mean that their licenses should be turned into publicans' licenses?—In the cases which I mentioned, in localities where the party has conducted his house respectfully, that would not add very much to the number of public-houses in the city, and you would get rid of all that harassing system that the spirit grocers have been subjected to.

4465. How many fresh publicans' licenses, roughly speaking, should you anticipate would have to be granted?—I do not believe that you would have upwards of 100, and they would be chiefly in those localities that are springing up that I allude to. There is a mile and a half of locality from Crumpton's Monument to Rings End, a very much frequented locality, with a constant stream of traffic along it, and along it there are but three licensed houses. I consider that if public-houses are to exist at all they are supposed to exist for the public accommodation, and if that is the theory then there is too small a number for that long line of thoroughfare, which is frequented from early morning until late in the evening, and a considerable traffic along it, so long as the theory is that public-houses should exist.

4466. You mean that you think that if 100 fresh publicans' licenses were granted, to be equally distributed, where necessary, amongst the best spirit grocers, then the common spirit grocers' licenses might be abolished?—Yes, you would have fewer drinking houses by the abolition of the spirit grocers' licenses. You put out of the trade the spirit grocers that are in low localities, and in localities where their licenses are not required at all, and, as a matter of fact, by that system you lessen the number of houses where they sell drink. As for the beerhouses, when the new Valuation Bill of Mr. Meldons comes into operation, I do not believe that 90 of them will exist in the city. Mr. Meldons' Bill strikes an effectual blow at that class of licenses.

4467. How many spirit grocers' licenses are there now in the Dublin metropolitan district?—The number has decreased since the last licensing session. I could not calculate the exact

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number, but to give it in round numbers at the present time I should say there are about 250. I think there were 280 at the last licensing session, and I know that they have decreased by 20 or 30 since.

4468. Then you think that 150 of those might be entirely done away with, and the remaining 100 converted into public-houses?—About that. I would leave that to the discretion of the police, because the police authorities would be the best judges of the requirements of each locality. I would not attempt to express an opinion as to which localities should get one and which should not; that might be safely left in the hands of the police authorities.

4469. Do you mean the police or the Recorder?—I mean the police authorities, because the one-man power, as I may call it, of granting licenses in the City of Dublin is condemned by almost every sensible man in it. That has been often suggested in Dublin, and there was an amendment which I was mainly instrumental in inducing Mr. Sullivan to bring in in the Session of 1874, suggesting that, instead of the Recorder being the licensing authority, a committee of magistrates should be annually elected, or the stipendiary magistrate should sit for that purpose; one or other course should be taken; but with respect to the Recorder, Sir Frederick Shaw, I know that his administration of the law did not give general satisfaction. It gave satisfaction in the first instance to a large number of people who formed a monopoly, and a monopoly sprang up which I believe could not exist under a committee, if a committee of magistrates was the licensing authority.

Mr. Richard Stagh.

4470. What is the licensing authority now for spirit grocers in Dublin?—The stipendiary magistrates; the police court magistrates.

4471. We understand that you have no wish to run the gauntlet of the Recorder's court for these licenses hereafter?—No; that is my private opinion, which I expressed as regards that, that if the Recorder's court were selected as the court that these applications should be made to, I would not feel any very strong objection to that. I merely state as a general rule that I think it is not fair or right towards the traders to leave this power in one man's hand who may have a very imperfect knowledge of the city.

4472. I apprehend that you would not have any fear that the Recorder would refuse licenses as publicans to those who are now only spirit grocers?—I believe myself that the Recorder could not possess the same knowledge of the city, or that knowledge which is requisite to guide him in giving an impartial decision.

4473. The present licensing authority for publicans is the Recorder, is he not?—Yes.

4474. I understand you to advocate that all the spirit grocers should be turned into publicans?—Not all; I have not advocated that only in certain localities, and I would select those who have conducted their houses well.

4475. How do you propose that the selection should be made?—In the first instance, I would consult the police authorities of each locality, and the different divisions who are intimate with the facts, with the way in which the man has conducted his house, and with the requirements of the locality, and I hold that one man cannot

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know the requirements of a city like Dublin; that it is impossible.

4476. Then I misunderstood you when I thought you said that you would like only one class of licenses?—I would like entire abolition of the spirit grocer's license, and one class of license only to exist in the city.

4477. You mean that there should still be grocers' licenses issued, do you?—No, I advocate the entire abolition of it as a separate license.

4478. Do you advocate keeping the number of licensed grocers still in existence, and let them die out gradually?—To change the license from what it is at present. The tenor of the license at present is that of a spirit grocer, and I would alter in certain localities that license into a victualler's license.

4479. What about the other localities?—In other localities, where spirit grocers are not required, I would abolish them altogether, or where the houses have not been properly conducted; by that I would decrease the number of drinking houses in Dublin, and decrease the facilities for drinking.

4480. Those spirit grocers sell other commodities, I suppose, do they not?—Yes, they do; but there is a misconception on the part of the Committee with regard to that which I would wish to remove. There is an impression, as I gather from reading the evidence, that the spirit grocers in Dublin are the only people who sell groceries; I do not believe there are twenty licensed victuallers in Dublin who do not sell groceries as well as the spirit grocers, so that the legitimate trade of the spirit grocer is infringed upon by the licensed victualler selling groceries as well as the spirit grocer. Any person acquainted with Dublin will corroborate what I say regarding that.

4481. Those spirit grocers that you wish to have turned into publicans have no fear that their trade in tea, sugar, spices and fruit would be at all interfered with by having their premises turned into a public-house?—No more interfered with than the present victualler's business is interfered with. To a certain extent it might, I admit, and in some cases the business would be interfered with, but as a general rule almost 95-100ths and more of the licensed victuallers already sell groceries at the present time; they sell spices and teas and all that, which is not the custom I know in London, or I have never seen it in London. I do not see any person that sells drink for consumption on the premises selling groceries at all; but the contrary is the rule in Dublin.

4482. How many of the publicans sell groceries?—I should say 98 out of 100. I do not believe there are 30 out of the 800 licensed victuallers in Dublin who do not likewise sell groceries.

4483. So that when customers go into these shops people in the street cannot tell whether they are going in for the purpose of getting drink or for the purpose of getting groceries?—They cannot tell. Any person acquainted with Dublin will, I think, corroborate what I say, that there are not 30 gin-palaces in Dublin such as there are in London where people can only get drink when they go in. There are a few along Seaville-street, and a few in Grafton-street, and in the leading streets of what are called gin-palaces, where nothing is sold but drink; but in all other streets in the city they sell groceries as well.

Mr. Maurice Brooks.

4484. Do you mean by groceries, tea and fruits?—Yes; tea, spices, mustard, ginger, and other condiments.

4485. Does your position as secretary of the Licensed Grocers' Association enable you to give the Committee any information as to the extent of drinking in illicit houses on Sundays?—Not exactly in my position as secretary of the Spirit Grocers' Association. Perhaps that has made me look a little sharper when I am going about on my ordinary business in the city into where illicit drinking is going on. Perhaps that is the cause, but as a rule I might take notice of it. I do know that latterly illicit drinking is on the increase in Dublin. I know that in the locality in which I live, near Seville-place, there are three houses that have no licenses at all, and they do a very flourishing trade on Sunday mornings.

4486. Are those houses what are called night-houses, or are they houses that open on Sunday mornings?—I do not know about their opening at night. I have never seen them. I have not been along the locality where they are at night, but I have passed by them on Sunday mornings. I used to see people go into the neighbouring yard, and from inquiries that I have made besides that in the neighbourhood I have ascertained that there are three of them that have sprung up there lately within the last few months.

4487. Why do not the police of Dublin suppress those houses?—The locality is rather an intricate one for a policeman to deal with.

4488. I mean, generally speaking, in Dublin?—Owing to the system that they have of keeping watch by a young lad at the corner, who will give the word if a policeman is seen in the distance, and who whistles, or something of the kind. I have watched policemen that are evidently after illicit houses. I have seen them going down along in the direction where the illicit house was, and I have seen them going in, and they have told me when they came out that the bird had flown, and that everything was all right when they went in.

4489. Are you of opinion that the police exercise their powers to the best of their ability in the suppression of those illicit houses?—I believe they do exercise all the authority that they possibly can; I believe that they do not neglect anything; but I know, from my own knowledge of those houses, and as a citizen, that they would find it very difficult to come upon them. If I was in the uniform of a policeman, I could not come at them at all secretly; I would find it almost impossible.

Mr. Murphy.

4490. Are there not two kinds of spirit grocer's licenses, the wholesale and the retail?—No; there is one kind of spirit grocer's license only. The spirit grocer's license that has generally prevailed in Dublin allows a spirit grocer to sell only half a gallon of whiskey or two dozen repeated quart bottles in one order. I believe, if he wishes to sell a larger amount than that, he has got to get a special license from the Custom House. There is a special license, but I know that there is no member of my society that uses it; the trade is not large enough.

4491. Is it the law now that, if a man gets what is called a wholesale spirit grocer's license for the sale, wholesale, for consumption off the premises, having got that license, he is entitled

to

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to get a retail license for sale off the premises also for any quantity he likes?—Yes, I am aware of that; but that is the one license. He can sell as low as half a glass of whisky off the premises.

4492. But can he take out a retail spirit grocer's license, without taking out a wholesale spirit grocer's license? I have seen them getting them in the Custom House, and they just simply get the license as a spirit grocer, which allows them to sell not more than two quart bottles or two dozen reputed quart bottles of porter; any lesser quantity may be sold.

4493. Do I understand you to say that a spirit grocer cannot sell more than two quart bottles of whisky?—Of anything.

4494. Of wine?—He must take out a special license if he wishes to sell wine.

4495. With a wholesale spirit grocer's license he cannot sell more than two quart bottles; that is the spirit grocer's license that exists in the City of Dublin at the present time; and if he wishes to sell more, he must make a special application to the Customs House, and if he gets an order for more he has to pay a large sum of money?—That question suggests one point, namely, that the victualler who has all the privilege of selling any quantity he likes, and selling for consumption on the premises (we will take a house rated at \$97, which is a low rating) pays only 7*l.* a year licensed duty, whereas a spirit grocer rated at the same will have to pay 16*l.* for his beer and spirit license, and 2*l.* likewise if he wishes to sell wine, making 18*l.* in all, and the victualler has all those privileges for 7*l.*

4496. A spirit grocer is limited to consumption off the premises?—Yes, a spirit grocer is limited to consumption off the premises, and pays more than double license: that I consider is a hardship too.

Marquess of Hamilton.

4497. As secretary, do you represent all those 150 spirit grocers whose licenses you propose to take away?—A great number of these; some of them perhaps would be taken away. I believe if you leave it to the police to decide the localities in which they would be required, there might be some of them taken away; that is quite possible.

4498. What would you suppose would be the feeling of those 150 persons whose licenses you propose summarily to take away?—I do not know; I am merely answering the question, perhaps to a great extent *pro bono publico*. It reduces the number of houses and it abolishes at once the two classes of licenses, which are a great puzzle to the police of Dublin to look after, and in that case places the trader in a more secure position than he was before. I know that the abolition of the license, in the case of those persons using the license, would be felt as a very great hardship and a very great grievance, but at the same time there is no reform which is introduced but will inflict a grievance somewhere. For instance, the passing of Mr. Melden's Bill now abolishes at once all the beer dealers of Dublin. As I said before, I do not believe that it will leave 15 or 20 beer dealers in Dublin who are exclusively beer dealers.

4499. How many of the 250 spirit grocers which you have just lately spoken of are members of your association?—I think about 130 or 140.

Mr. Brown.

4500. You spoke of the substitution of a licensing authority for that of the recorder, which is now the law, and you made use of a word which I want you to explain: you said you thought that a better licensing authority would be a committee of magistrates annually elected?—Yes.

4501. Elected by whom?—If you take the unpaid magistrates, as I believe is the case in London (I speak subject to correction), I think they are elected by the other magistrates in general; I am not sure whether that is the case or not, but I would suggest that the unpaid magistrates of Dublin should hold an annual meeting, and elect five or seven of their number as the licensing authority for the year; I think that would work better than the recorder. There are four stipendiary magistrates who might be substituted; either one or more would make a better licensing authority, in my opinion, than the present one-man system. While on that subject, in the year 1874, as Mr. Sullivan is here now, I may mention that he introduced an amendment to the licensing Bill of that year, which was very largely supported by the Irish Members, in which the majority of the Irish Members who voted upon the question voted Mr. Sullivan's amendment on that head. I remember being in the House at the time that the division was taken, and I know that the feeling of the Irish Members was pretty general on it.

4502. I think I understood you to say that what rather interfered with the grocer's business was the practice of publicans having grocers' establishments, and selling groceries?—Contrasting that with the system which is in England, where the person who sells drink for consumption on the premises, as a rule, does not sell groceries; he has to suffer a double grievance by that. Ten years ago, in Dublin, no person who sold drink for consumption on the premises was allowed to have a grocer's shop within a mile or two. Through, I believe it was Sir Frederick Shaw's interference, I could not get the precise information, that was abolished, and the licensed victualler who sold drink for consumption on the premises is permitted to sell groceries on the same premises. At that time there were very few spirit grocers in Dublin, because those new localities which I have described had not sprung up, and there was not any opposition to it; but if, to-morrow, an attempt were to be made of that kind, and a licensed victualler was not allowed to sell grocery, I think there would be found a very strong opposition in Dublin to his being allowed to do it, and I think that the opposition would be successful.

4503. I suppose you speak of this simply from a licensed grocer's point of view?—I speak of it as instructed by the trade that I represent.

4504. Looking at it from the point of view of the public good, what difference is there between the case of a grocer being allowed to have a spirit license, and a licensed victualler being allowed to sell groceries; is there any real difference between the two?—There is this, that if the spirit grocer who is now licensed with a license not allowing him to sell drink for consumption on the premises, at what I might call a legitimate grocers' trade, he would never risk his license by selling drink for consumption on the premises, and those cases of summonses at the police court which we have heard of, would never occur. He would not risk his license, because

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because he could make a respectable living by selling groceries, and by selling drink for consumption off the premises, and he would never attempt to violate the tenor of his license, whereas now the trading in groceries being distributed through the whole 800 victuaries of Dublin, leaves the spirit grocer a very small share indeed of it.

4505. When you speak of his running a risk, do the licensed victuallers run a greater risk of being punished for an infraction of the law than the licensed grocer?—The licensed victualler runs no risk; he does not infringe the law by selling drink for consumption to a person going in for groceries, whereas a spirit grocer does, and is liable to be fined if he sells drink for consumption on the premises. The licensed victualler runs no risk whatsoever, except he allows people to get drunk on the premises. There is another matter to which I would refer. A Return, I believe, was obtained by a Member of this Committee, showing the number of convictions against spirit grocers, and the number of convictions against licensed victuallers. Those convictions against spirit grocers, I am prepared to say, in 98 cases at least out of 100, were all for selling drink for consumption on the premises against the tenor of their license within the legitimate hours of trade, whereas the whole number of police convictions against the licensed victuallers were for selling drink after hours, or for drunkenness on the premises, inasmuch as they can sell from seven in the morning until eleven at night, and the policeman has no right to enter their houses.

4506. You are aware, of course, of the customs of the trade; is not it an ordinary custom of your trade to give treats of spirits?—It is a custom of any person largely engaged in selling groceries; it is a custom in Ireland at least; I know it prevails to a very great extent in Dublin and in the south of Ireland. I cannot speak as to the north; I do not know how it may go there, or what custom may exist in Belfast in the matter.

4507. Am I describing rightly what a treat is; a purchaser or a servant coming in to give orders, buys groceries, and after having purchased them is invited to the counter where spirit is sold, and is there given one or more glasses of whiskey?—Never more than one. My reply to your question is, that if a party goes, for instance, into a grocer's shop and gives a large order, they are generally asked to have half a glass or a glass of whiskey, or a bottle of porter if they prefer it. In other cases a constant customer going in may be asked perhaps once out of 12 times; but this is to be always borne in mind, that a licensed victualler can give it with impunity after the sale of groceries, whereas a spirit grocer cannot.

4508. When you speak of the substitution of a licensed victualler's license for the present grocer's license, I think you said that you spoke in the name of your association; do you also speak in the name of the licensed grocers of the rest of Ireland?—Licensed grocers do not exist to any very great extent out of Dublin. I have no connection with them outside Dublin, and I know nothing at all about them.

4509. You consider that it would be an improvement if, in all establishments where the sale of drink is combined with the sale of other matters, the premises for the sale of liquor were absolutely separated from those where the other goods were

Mr. Bruen—continued.

sold?—I do believe that it would tend very much to decrease drinking habits with servants especially.

4510. In Dublin, on behalf of your association, you are prepared to tell the Committee that your association would support a new law which would compel that, supposing the law to exist in its present state?—If the law were to exist in its present state, there is not a spirit grocer in Dublin but what, if you abolish and take from the licensed victualler the right of selling groceries and let it remain with the grocer proper, would at once, I am perfectly certain, although I have not consulted them on the subject, have a separate compartment for the sale of groceries and another for the sale of drink.

4511. I am asking you, under the present state of the law, allowing the licensed victuallers to sell groceries, whether you would, on behalf of your association, give that evidence?—No, I would not give that evidence, for the reason, in the first instance, that the profits of a spirit grocer's establishment would not allow him to take the house next door, as he would have to do in many instances, for the sale of groceries. His profits would be so small that he could not pay the rent.

4512. His profits principally arise, as I understand from your answer, from the sale of liquors?—His profits arise from both the sale of liquor and the sale of groceries; but the profits of a spirit grocer, except in a very few instances, are barely sufficient to support his family, and to place upon him besides, the taxation, the taking of a house next door, which he would have to do in many instances; I do not believe they could afford to take a house and pay the rent and taxes. There are a great number of victuallers in Dublin who sell for consumption on the premises who could not afford to do that either.

4513. Would you give this evidence, that it would be an improvement if in the case of new grocers' licenses, those licenses should be given only to those who could show that they had a separate and distinct apartment for the sale of drink?—I believe that that would be a very great improvement. I think that the present system should never have been allowed to exist at all.

Mr. Sullivan.

4514. Have you read the evidence given by Mr. Michael Dwyer?—Yes, I did read it in his own journal, which I presume may be taken as correct.

4515. Is it true, as stated by him, that as soon as the public-houses are closed the spirit grocers begin to sell illegally?—It is not true at all; there is no foundation for it; I know that not only in my capacity as secretary, but in my capacity as a citizen in going through the streets. As I explained before, I never knew a member of the society to sell at illegal hours but one, who left the association or he would have been expelled, but he retired from the trade. I knew another spirit grocer to sell at illegal hours, but he did not chance to be a member of our association. I know sales of drink do go on on Sunday mornings. Those are only two instances; there may be some others, but I know that there is no systematic selling by spirit grocers at illegal hours; nothing of the kind exists.

4516. Have you known instances where spirit grocers have applied to get an ordinary retail license from the recorder, and have been opposed by

Mr. Sullivan—continued.

by the Licensed Vintners' Society?—As a rule, I think we have never seen a spirit grocer yet to apply for an ordinary spirit license but he was opposed by the vintners.

4517. Then the vintners were prohibitionists outside the law in that sense?—Yes.

4518. Was that the result of the law as it exists?—Yes.

4519. They would not allow any interloper in the trade, and then being secured themselves they were total prohibitionists for every other man?—They opposed every other man. There never was an instance of a person applying for a license from the recorder whether he was a spirit grocer or not, that I did not see a counsel or attorney for the licensed vintners opposing him.

4520. You never knew them to talk about the tyranny of preventing a man selling drink; when one of your body applied for a license to do so they opposed him?—They always opposed him.

4521. You never knew them to talk about the convenience of a man getting refreshment at a spirit grocer's shop?—No, I never heard them talk of that at all.

4522. As a matter of fact, is not the drink sold by your trade as much refreshment to the people as drink sold by the vintners?—Yes; I know that in my own consumption at home in my own house, I sometimes get from a spirit grocer a pint of whiskey, and I find no difference.

4523. Would a bottle of Guinness, sold you by the keeper of an illegitimate house, a spirit grocer, be less refreshment than a bottle of Guinness sold by a vintner?—As a rule a bottle of Guinness sold by a spirit grocer is better, because, doing a family trade, they have to put more what we call X in it, and a less amount of porter, and in that class of trade the bottle drink is generally better.

4524. Then we may take it as the weight of your evidence to-day that all the pretences about allowing people facilities for houses of refreshment are very inconsistent when these very people come to shut your people up; is not that gross inconsistency on their part?—It is. As a rule you will find it is so. Some 15 or 20 years ago some spirit grocers did get licenses and got into the trade, and they are the most tyrannical now. In explanation of your question, I should tell you that spirit grocers are composed generally of young men who have served their legitimate time to the grocery business, say four or five years, and when their time is up, when they come to be young men, they find, owing to the monopoly which exists in the City of Dublin, the ring that has been made, if I may so term it, they cannot obtain possession of a vintners' license, or a house with a license attached to it, except they pay a very large sum. Then they go to one of those new localities and take out a spirit grocer's license with their generally small capital.

4525. Is it not the fact that within the last 20 years what are called, under the rule of the late Recorder, the vintners' legitimate houses, as they themselves call them, have come into the possession

Mr. Sullivan—continued.

of a comparatively small number of large whiskey capitalists, who take them for their own purposes, employ the young men, and use them as assistants or apprentices, and then turn them out on the world, and give them no chance of becoming masters themselves, because they oppose them at the Recorder's court?—I succeeded in proving that in the Recorder's court. I have instructed counsel to oppose vintners who were applying for licenses, and in many instances succeeded, through the evidence that we brought there in proving the case, so that the Recorder refused the license; also in the case of the magistrates of Kilmastubham, we have had to bring similar evidence before them and prove the case.

4526. If the licenses were allowed to be given to the spirit grocers, would not that prevent all the illegality complained of as regards their sale by retail?—It would; but I would not for one moment advocate giving licenses to every spirit grocer in Dublin at the present time. I would submit that as a matter of fact you might lessen the number of drinking houses also.

4527. If I understand your reply to the Marquis of Hamilton, you described how it was that the spirit grocers arose in the City of Dublin, and that it was chiefly 30 or 40 years ago?—A portion of my answer was this: it was the action of the Recorder, and the ring that has been formed, together with the new localities springing up round the city, which has produced the class of spirit grocers; those are the two main causes of it, and furthermore, licenses being allowed to remain in localities where, perhaps, when they were granted, they may have been suited to the requirements of the locality, as, for instance, in Marlborough-street, in which there are 16 public-houses regularly licensed, and no person will say for one moment that Marlborough-street requires 16, whereas Great Brunswick-street has only three or four, and that that is for the public accommodation.

4528. Do you wish the Committee to understand clearly that if the publicans were prohibited from selling groceries as they now can do, without going to the Recorder, your trade would freely give up selling by retail to whatever extent they value it?—I do believe that you will not find a spirit grocer summoned in five years for selling drink for consumption on the premises.

4529. But the present evil has arisen by reason of the fact that the publicans are allowed to encroach upon the grocers' trade, and that you are prevented from encroaching on their trade?—That is so.

4530. All that you want is fair play in that sense, either that they should be prohibited from the sale of groceries, or you should be allowed to have a regular license?—That is so.

Chairman.

4531. Do you wish to make any further statement to the Committee?—I think not; I will not further occupy the time of the Committee; I think almost everything that I had to say has been brought out from me in the course of my examination.

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Mr. ALDERMAN DALY, called in; and Examined.

Mr. Murphy.

Mr. Alderman Daly. 4532. You, I believe, have been Mayor of Cork?—I have.

Daly. 4533. I think for three consecutive years?—Yes.

17 April 1877. 4534. You are intimately acquainted with the citizens of Cork, of every trade and position, I think?—I am, for a period of 30 years.

4535. Gentry, working men, artisans, labourers, and all classes?—Yes, all classes.

4536. The tenure of your office, I take for granted, has necessarily placed you in communication with all those classes?—Yes; and more with the lower strata than the upper.

4537. From your knowledge of the habits of the working classes, is it your opinion that the Bill now before the House is one that could be received by them with satisfaction?—No, it is not.

4538. Do you conceive that it would interfere with their legitimate habits and taste?—I do.

4539. Can you state anything either generally or particularly of the result of your knowledge of these classes who would be affected by the passing of the Bill?—I think that a very large proportion of them would be deprived of reasonable enjoyment; and I think that the minority who abuse the privileges now given to the entire, is small as compared with the number of persons on whom unjust restrictions would be imposed.

4540. And if the official statistics of the arrests for drunkenness are produced, and they would corroborate your opinion, of course that would be an additional reason for what you state?—Yes; and I may further state that for the years 1871–72 and 1873, during which I held the office of Mayor, I paid particular attention to this question of drunkenness. As regards the number of persons committed on Saturday nights, I had opportunities of personal observation of that, because whilst in Cork (and I was very rarely absent from Cork) I was in the habit of discharging the Bridewell on Sunday mornings, with the exception of habitual drunkards. My motive in going down was to see who the persons that had been committed on the previous night were; and if I found that there was in custody any person or persons who had been there for the first or the second time, but in a long interval had been committed to prison, I discharged them, taking down their names that the police might afterwards have the power of summoning them, and from that I say, and from taking an interest in this question of drunkenness, I am enabled to state that the preponderance of drunkenness is not on Sundays. I have read some of the evidence before the Committee, and you have the figures; but before I had seen the figures I knew perfectly well, that as regards the number of persons charged with drunkenness on Sunday morning, or for assaults arising out of drunkenness, the proportion of those arrests, up to seven o'clock on Sunday morning, which are the result of Saturday night drinking, was in the proportion of two to one. I have seen those figures adduced by a person who had taken the trouble to collate them, but that has been the result of my own personal observation.

4541. From your observation of the character of Sundays in Cork, and from the results of your

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official knowledge on the subject, is it your opinion that Sunday, generally speaking, is the day of all others upon which there is least drunkenness in the city of Cork?—I am of that opinion.

4542. Is it your opinion, therefore, that a Bill of this nature, if passed at all, should apply to any other day of the week but Sunday?—Its imposition on Sunday would be a greater hardship on persons who reasonably use public-houses than if it were imposed on any other day, because Sunday is their only day of leisure; and very many men, to my own immediate knowledge, men in my own employment, and men in kindred employments, use the Sunday, after having been to their devotions, for leisure and recreation, for example, following a pack of dogs through the country or taking long walks; and as, therefore, those people are bound to be at their separate employments during the week, the imposition of the Sunday Closing Bill would be to deprive them of the only time that they have for legitimate enjoyment, that is, the enjoyment of a man who has walked 11 or 12 miles, sitting down in a public-house and taking reasonable refreshment.

4543. Taking it for granted that there is a greater necessity on Sunday than on any other day of the week for allowing people to reasonably enjoy themselves, and also taking it for granted that there is a less amount of drunkenness on Sunday than on any other day of the week, it is almost unnecessary to ask you if you would not think it a hardship and an injustice that a Bill of this nature should be passed?—I do think it a hardship and an injustice.

4544. You are acquainted, I take for granted, with the general opinion of the city of Cork upon this subject?—I claim to be acquainted with the middle class, and the class below them; and I claim to be acquainted with their opinions upon this subject.

4545. Is it your deliberate opinion that they are entirely opposed to the total closing of the public-houses on Sunday?—I would not say totally opposed, because a certain minority are not so disposed, but I would consider that minority inconsiderable as compared with the persons who differ from them.

4546. You are of opinion that the vast majority of them are opposed to the total closing of the public-houses on Sunday?—That is my opinion.

4547. Have you attended any public meetings in Cork with regard to this subject?—I have.

4548. Those meetings, I mean which were held for the purpose of opposing this Bill, or a Bill of a similar nature?—I have attended largely attended meetings to oppose this Bill; but I do not set much value on public meetings either for or against, because there are powerful interests on either side, and an audience could be prepared in Cork as anywhere else. From what I have seen in human life, I think if a meeting is called, for large employers can influence the attendance at it, and if a meeting is called against, the converse of that may be the case; so that I do not attach much importance to that as elsewhere do.

4549. At the meetings that were held to oppose this Bill, are you of opinion that the speeches and opinions which were delivered at them

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them have met with the general concurrence of the majority of the population of Cork?—Yes, and the opinion outside the meeting has been in the same direction, always allowing the minority to which I have alluded.

4550. Have you any knowledge of the country districts about Cork?—I have.

4551. And a knowledge of the habits of the people there?—I have.

4552. Do you conceive that, comparatively speaking, the total closing of the public-houses in those country districts would prove the same inconvenience as it is your opinion it would prove in the city of Cork?—I do.

4553. Do you think that in some instances it possibly might prove a greater inconvenience?—I do, for the reason that to the purely agricultural labourer, who has to work from six in the morning on Monday till the end of Saturday, I consider that if he be a well-conducted man, it would be a great injustice to debar him from the only opportunity he has to associate and chat with a friend, and the only opportunity he has to go to a public-house.

4554. You are aware that it has been already given in evidence, and you are aware from your own knowledge, that it is the habit on Sundays in Cork for a vast amount of the population to go away from Cork, down the river, and into the country parts to amuse themselves, and to seek innocent recreation and enjoyment?—No doubt of it.

4555. As a matter of fact are you aware that in the various towns down along the river and in the neighbourhood, they refresh themselves as a matter of course?—I am aware of it.

4556. Do you think that if a Bill such as this were to be made applicable to the entire of the country, with the exception, we will say, of the five cities which have been referred to the consideration of this Committee, such a Bill being passed preventing any refreshments being served in any of these country towns would prove a very great inconvenience?—I do think it would prove a great inconvenience.

4557. Is there any material fact or expression of opinion, generally speaking, that you would wish to give to the Committee upon the subject, as to the general hearing of it?—I think that if you take, for example, the parishes round Cork, within a radius of seven or eight miles, or of four miles, this mischief might result from the closing of the houses there; that if the houses were allowed to be open in the city the persons from the country would migrate into the city, and they would be without the moral control that would be exercised over them by their fellow-residents in the parish, and by the priests and clergy of the parish; and that they would be more liable to excess in the cities than if they drank at their own doors and within reasonable hours. On the other hand, I think that, before and after the circumscribed hours in the cities, you might have residents in the cities going beyond them, about four or five miles, and under the guise of *bona fide* travellers getting refreshments, and I think that those people would be less under control than the actual parishioners, because any excess that they might commit would be only restrained by the fear of being arrested. As they would be unknown they would not be influenced by the moral obligation to be

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well conducted before their neighbours. I think it would have that result.

4558. Do you also conceive that this anomaly might arise, that whereas, we will take Queens-town with a population of 10,000 inhabitants, if this Bill passed, all public-houses would be closed there, but if 10,000 people went from the city of Cork down to Queens-town they would be able to get what refreshments they liked, notwithstanding the passing of this Bill; what do you conceive would be the feeling of the inhabitants of Queens-town themselves when they would not be allowed to take refreshments, and when the 10,000 who came down would?—The only resource on that hand would be for them to migrate somewhere else, four or five miles from Queens-town.

4559. Have you had any opportunity of ascertaining the opinion of the clergy of the city of Cork with regard to this subject?—I have. I have consulted clergymen who have held, for a long period, city ministrations, and have been removed in the ordinary course of promotion to country parishes, and the majority of them, and a large majority too, have always said to me that they were in favour of restriction on Saturday nights, and reasonable hours of opening on Sunday. And these are my own opinions upon the subject, founded on certainly as close observation as was in my power to give it for some seven or eight years.

4560. You are aware, I suppose, that the clergy of all denominations in the city of Cork have, as their duty befits them, always endeavoured by every means in their power to repress intemperance?—I have heard and I know that there has been a great crusade against intemperance by the clergy of the faith to which I myself belong. I know that they have endeavoured to combat it by the formation of confraternities, and by the erection of operatives and artisans and the labouring classes into guilds, and that those guilds require periodical religious observance, and that a man cannot continue to be a member of a guild if he be an intemperate man or a drunkard. And I believe myself that that has done a great deal of good within the past eighteen months or two years.

4561. Have you any idea or have you ever had an opportunity of ascertaining the feeling of the clergy upon this point, viz., that in their opinion they believe that the voluntary submission of a man to take the pledge, if you wish it, is a much more efficacious mode of preventing intemperance than the imposition of a compulsory pledge upon him?—I have.

4562. Have you ever been able to ascertain what was the opinion of the clergy, and that they avoid using what may be called a compulsory pledge?—I believe that the most experienced of the clergy have a great dislike to the imposition of any compulsory pledge.

4563. You have an intimate knowledge of all classes in the city, especially of the working classes and artisans; you are a very large employer of labourers, I believe?—I employ a good deal of labour.

4564. Do you, or do you not, think that the application of this Bill to the city of Cork is a measure which would be received with favour by the mass of those who use public-houses, or if passed that it would attain the professed object of the Bill?—I am profoundly convinced that the imposition of total closing of the public-houses on

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Sunday in Cork would be most mischievous, would lead largely to illicit drinking, and would lead largely to tempting men to disregard the law, to disobey it, and to commit infractions of it, when under other circumstances they would never dream of it.

Mr. Sayle.

4565. I think you stated that the application of this Bill to the city of Cork, would not create more inconvenience than its application anywhere else?—I think, relatively to the population, that it would not.

4566. That it would be quite as bad anywhere else as in Cork?—I think the principle is as bad anywhere else as in Cork.

Mr. Maurice Brooks.

4567. Would not much of the inconvenience occasioned by this Bill, supposing it were passed into law, be remedied by the existence of clubs in Queenstown and in Cork?—From my experience I do not think a club would have a very protracted existence, because the clubs of that kind should be formed of different trades and sections, and I do not think that the platform would be broad enough to ensure them long continuance. I think they would disagree amongst themselves, and I do not think that they would continue to exist.

4568. But for the classes above working men, there would be clubs which would supply necessary refreshments?—I myself personally, and I am not much different from persons of my own status, belong to three social clubs, and there are many others in exactly the same category.

4569. Are they open on Sundays?—Yes, they are.

4570. Are wines and other refreshments obtainable in them?—Anything you wish to call for you may have.

Mr. Sullivan.

4571. You are of opinion that the general feeling in Cork is very strongly against the applicability of this Bill to your city?—I am.

4572. That feeling prevails, do I understand you to say, amongst all classes, or amongst the preponderance of every class?—Amongst all classes, but not in the same proportion.

4573. Is it very strong amongst the working classes?—I should think so.

4574. And very strong amongst mercantile young men?—Most distinctly.

4575. Is it very strong among the employers of labour?—There I do not think it is so strong; I think it begins to be less there.

4576. Why?—I cannot tell you; they have formed their own opinions.

4577. Have you any opinion as to why it is that employers of labour would be in favour of closing the public-houses on Sunday?—I hope I do not introduce an element into the description which I should not; but I think there is an element of Sabbatarianism when you reach that stage. I think there are a number of men who are accustomed to regard the use of Sunday, when devoted to dancing and amusement, as wrong from their point of principle. I think the element of Sabbatarianism is introduced into it which makes them Sunday-closing men. That of course is my own opinion, but you are only asking me for my

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opinion. I do not state that as a matter of fact; but I give it to you as the result of thought and observation upon the subject.

4578. Are there very few employers of labour in Cork who are Roman Catholics?—There are a fair section.

4579. Is there one-tenth?—Very many more than that.

4580. Would you say two-thirds?—From one-tenth to two-thirds is a large jump.

4581. Are the employers of labour in Cork Presbyterians or Roman Catholics?—There are Presbyterian large employers of labour. It is a question to which I cannot give you an answer immediately; but if I were to give you the impression on my mind, I would say that the employers of Catholic labour are somewhere between five-eighths and one-half as regards the persons who are dissenters in one way or other from the Roman Catholic faith. The reason that I say that, is that some of the larger industries in Cork, such as the Cork Steam Ship Company, the Cork Docks Company, the large tobacco spinners, Duke, Ogilvie, and others, do not belong to the faith that I belong to.

4582. To simplify the matter, have you an idea that of the employers of labour, large and small, in Cork, two-thirds are Catholics?—Certainly not. I think they are more nearly between one-half and five-eighths. That is my impression, speaking on the spur of the moment.

4583. You have lived all your life in Cork, and your impression is, taking the employers of two young men and the employers of 200, the great and small together, in Cork, the non-Catholics employ very nearly one-half?—If you take the employers of two young men, that, I think, would increase the proportion of Catholics; because when you first asked me the question, I grouped the big industries in my mind. Of course there are men who have small drapers' establishments who employ a couple of men, and grocers who employ a couple of men; they would mainly be Catholics, and possibly those would bring the proportion up to about one-third.

4584. Having thus arrived pretty nearly approximately at a probable knowledge of their proportion, do you mean to say that two-thirds, or thereabouts, of the Catholics are Sabbatarians?—No, they are not.

4585. I understood you to say that the feeling amongst the employers of labour in favour of Sunday closing of public-houses, or tolerably in favour of it, arose from Sabbatarianism?—I said a section of them. My evidence was this; that as you ascend in the scale you come to the employers; the number of persons who were in favour of Sunday closing was in a greater ratio than in the strata beneath them; and then when you asked me how they were divided, and the reason for that, I gave it you, that having some tendency to Sabbatarianism that possibly might be their reason for it, although it may be unconscious to themselves.

4586. Can you think that Sabbatarianism animates those two-thirds of the Catholic employers?—I do not.

4587. Or that anything like Sabbatarianism could prevail to the same extent amongst two-thirds of them?—I am not saying that it does prevail. I am only giving you my impression of it.

4588. Do



Mr. Sullivan—continued.

4588. Do you think that this Committee should exempt Cork from the Bill if it be passed, on account of this great preponderance of aversion to the Bill?—I do. I think they ought to fairly think that what would lead to an infraction of the law should not be imposed as a law.

4589. Supposing that in the case of Belfast it were proved to us that the working classes and all classes were preponderantly in favour of the Bill, would you think that we ought to exempt Belfast as well as Cork; or is it your opinion that we should exempt Cork and include Belfast, in deference to the feeling of the people?—While I think it would be a hardship on the minority, on the first blush of it, I would obey the majority; but if I saw a medium course, that is to say, imposing restrictions which are not now present, but imposing such restrictions as I thought would satisfy the immense majority, I would respect the feeling of the minority and give a restriction of hours.

4590. This Committee are enquiring as to whether we should exempt certain cities: if the evidence here is that the working classes and all classes are substantially in favour of the Bill in Belfast and against the Bill in Cork, is it your opinion that we should put Cork and Belfast into the one basket, so to speak?—If I were a member of the Committee I would always have regard to the principle that those who do not want to enter public-houses need not go into them. I would always have regard, further, to the principle that the minority who do use them and the minority who abuse them should be punished severely; that would be my notion of legislation upon the subject.

4591. Then you would disregard the preponderance of feeling in Belfast?—I would, where that preponderance of the majority was an injustice on the minority.

4592. Then it is not because of any deference that you feel for the preponderance of feeling in Cork that you would have us to exempt Cork; you abandon this principle?—I consider that, whatever view the Committee takes of it, if you impose Sunday closing, no matter from what conscientious conviction, you impose unfair and unreasonable restriction on a body of men who should not be put into a position to be tempted to disobey the law, and who, in my opinion, will infringe that law, if it be so imposed, by resorting to illicit opportunities of obtaining drink.

4593. Then do I really understand that you throw overboard altogether the principle of deferring to the general feeling of all the community, which you gave evidence so strongly about?—You are speaking of Belfast, you know, and I am speaking of Cork.

4594. I am taking it on principle. The principle in Belfast we will suppose to be a popular feeling in favour of the Bill, and the principle in Cork, of which you have given evidence very strongly, you say is against the Bill; I ask you now, would you go at all upon the principle of general feeling, or would you carry out a special view irrespective of general feeling?—I would respect general feeling so far as it led me to a modification.

4595. But you would not respect it in any other way except as you think yourself right?—Except as those who think with me think right.

4596. The general feeling of the people in

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Cork against the Bill we may throw overboard, because it would be against Sunday closing, whether it went one way or another; is not that so?—I would be against Sunday closing, because I believe it to be an arbitrary interference with my liberty as an individual, though I do not use that liberty.

4597. I understand you clearly that, even if the majority of the Cork people were the other way, you would still be against Sunday closing?—If the minority was inconsiderable, I might go so far as to say that the experiment might be tried; but if I were in the minority, I would no less think it an imposition, and unjust on me.

4598. Then, as a matter of fact, it is only a question of how big or how little the minority would be?—There is a great deal of difference in that.

4599. But you would defer to a very large majority?—Yes, if it were very large.

4600. How large would you say?—Supposing it were 45 people out of 50, or in the proportion of 9 to 1, and supposing that were clearly ascertained: but I start from the principle that the feeling of the country on this question has not been properly ascertained by public meetings, or even by a house-to-house canvass. When I say public meetings, I mean public meetings, on the one side or the other; because the interests involved can always supply a *shillabog* at all public meetings; that is to say, an audience can be influenced by large employers of labour whose interests are directly involved, and, on the other hand, by persons whose prejudices or opinions are very extreme on the subject.

4601. You stated, in answer to a question by the honourable Member for Cork, that public meetings were a matter of no importance, because there are powerful interests on the one side and on the other; I suppose, on the one side, you meant the direct interest of the distillers, brewers, and sellers of drink?—No doubt.

4602. Will you tell us now what the pocket interests are on the other side?—I can quite understand three or four large employers of labour, if so disposed (I will not mention that as a fact, but I could suppose it, as we are on conjecture), telling their men that, if they liked, they might attend a meeting to petition against the Sunday Closing Bill. I could well understand the men, with the knowledge that they would get their day's wages, going up for a bit of fun and listening to the speakers. I know enough of my countrymen to know that you could assemble them at any given time.

4603. You have misunderstood my question. We have got from you that there is a selfish pocket interest on the one side; that peculiar pocket interest would be, rightly enough, the distillers, the brewers, and the vendors of drink; will you describe to me the corresponding pocket interest employed on the other side, the people whose trade will be benefited by Sunday closing?—No; on the one side it is a direct matter of interest, and on the other it is the element of Sabbatarianism, and the element of strong public opinion, excited by contests on this question.

4604. Then do you put before the Committee as comparable the selfish pocket interest of the vendors of the article, and the moral views or religious sentiments of another class; do you think that the two are comparable?—I do not

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accept them as moral views; I accept them more as obstinacy of opinion.

4605. There are people who think that they are neither, you know?—I may say, because all my evidence will go before my townsmen, that many men who previously held opinions diametrically opposed to me are men for whom I entertain the highest possible respect, and who, to my knowledge, fulfil every obligation of life; but I do say, that very many of them have taken this crotchet into their heads, and are riding it to death, and I say that if they had accepted the medium everything would have been settled long ago.

4606. In fact, you think that the Sunday Closing Bill would not be acceptable to the people anywhere in the country, or in towns?—I do not know Belfast, but I do say that I know in Cork, and the district round it, total Sunday closing would be very unacceptable, and would lead to mischief.

4607. I think you said awhile ago that it would be very much the same in the country districts?—I think so.

4608. Did it ever occur to you to hear this expression from public men in Cork, that one day's experience is worth a hundred days of speculation, and that practical experience is better than conjecture?—Will you allow me to tell you why I have experience of this question. When I first went to the drapery trade, which was 15 years ago, I had them from choice, as a boy, associated with persons who were then assistant drapers, and who were at the time receiving about a quarter of the salaries that they now enjoy. At that time, in the larger houses, such as I now myself hold, there were uncomfortable sleeping apartments; there were no rooms to reside in; there was no attempt at a library; there was no attempt to give the men rational or fair enjoyment; and my experience, looking back to that period, was, that out of every five or six assistant drapers at the time (and I mixed freely with them), one was a drunkard, and two or three out of the six used to take more liquor at night than was good for them. I find that the very same class of young men, springing from exactly the same class of people, now, because they have lavatories, washing-rooms, and residence-rooms, libraries, and billiard-tables, in the large houses, are the most respectable of the community; I except no class whatever. I am speaking now from my own personal experience of those persons. I have always held the view that the true solution of this question is to give men decent dwellings to live in, and surround them with decent appliances.

4609. Will you excuse my asking you how that is an answer to my question as to any practical experience of Sunday closing; was there Sunday closing then?—No.

4610. I asked you whether you had any personal experience of Sunday closing, and then you narrated what you have just now said. I ask you again, would not actual experience of the operation of Sunday closing be more reliable than speculation or conjecture?—But to do that I should first submit to the imposition of an unjust law; if I am to have actual experience I must submit to it.

4611. But supposing that you had that experience, from living in communities where there was Sunday closing, would not your experience then

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be more valuable to the Committee than mere conjecture?—I have had some collateral experience of it, because I was for many years a buyer going to Scotland; and then, although they had no Sunday closing there, or prohibition from liquor, I saw more whiskey consumed in Scotland than I did on Sunday in Ireland, so that I have a little experience of that kind.

4612. Did you ever see English commercial men travelling through Ireland?—A great many of them.

4613. Do you think that a Manchester traveller coming to Cork would know more about it than you do?—I am sure he would not.

4614. Then a Scotch merchant would probably know more about Scotland than you do?—Most distinctly.

4615. And his evidence would be worth more than yours?—To this Committee most distinctly.

4616. Then if Scotch evidence tells us that Sunday closing is a success in Scotland, you may think your opinion of not so much value?—I am bound, of course, to ignore my casual experience, as against their general experience.

4617. But how long ago is it since you were in the habit of travelling in Scotland?—I suppose it would be from the year 1849 or 1850 up to 1863 or 1864.

4618. Do you know a place called Tipperary?—I do.

4619. Did you know the Most Reverend Dr. Leahy?—I did.

4620. He had what you call this crotchet?—Yes.

4621. Was he one of the crotchet people?—His successor is a member of the hierarchy far whom I have the highest respect.

4622. I am talking of the Most Reverend the Archbishop of Cashel; you talked of people who favoured Sunday closing as people who held crotchets; was he one of those people who held this crotchet?—I had a great respect for his opinion, a great respect for his personal character, and a great respect for the office that he held; but with all those three items of respect, I claim to differ from him on that subject.

4623. You thought it a crotchet?—I would not call it a crotchet.

4624. But you have called it a crotchet?—I said there were some crotchet people, but I consider that the main element of this question as regards persons with whom I have come in contact is, that they will have no middle way; that they will not accept, even as a stage to what they ultimately desire, reasonable restriction.

4625. In fact, they want to do what Archbishop Leahy did; is not that what they want?—Quite so.

4626. Is it a failure in Tipperary?—Of my own immediate knowledge I cannot say, but I have heard that it is not so successful as its advocates would seem to assert; but, of course, I cannot say of my own knowledge.

4627. Do you think that the Catholic clergy of Tipperary and the Archbishop would continue it, if it were not conducing to the peace and happiness of their people?—It might do a modified good.

4628. Do you think that they would continue it if it was not conducing to the peace and happiness of their people?—I can form no opinion upon their conduct except from what I know of them;

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them; that there must be some element of good derived from it, or else they would not continue it.

4629. Do you think that the people of Tipperary are people who would submit to tyranny or despotism, or Sabbatarianism?—There again I can only judge of them historically, and judging of them historically, I think that they are the last people in Ireland to submit to any such despotism.

4630. You know something historically of Wexford and its people, do you not?—Yes.

4631. Do you think that the Wexford people are the people in Ireland who would lie down under a Sabbatarian despotism?—Sabbatarian despotism is putting it extremely strong.

4632. Anything that infringes upon their liberty?—This, from any point of view, clearly does infringe upon their liberty.

4633. Do you think, judging historically, that the people of Wexford are people who would submit to any infringement of their liberty without a protest?—From my historical knowledge of them, they are not likely.

4634. Are you aware that this crotchet is being carried out in Wexford?—I am not. I have only a general knowledge of these things outside my own district.

4635. But you are a most attentive reader of the public press and a public man, are you aware that it was under the auspices of the Catholic Bishop of Ferns, and his clergy?—I know that a portion of the hierarchy are in favour of this Sunday closing.

4636. Not favourably merely, but have actually carried it into effect; are you aware of that?—If I were to tell you what I have read or heard, I am bound to tell what I have read and heard on the other side.

4637. I am asking you, have you heard and read that it has been carried into effect by the Catholic bishop and the clergy in Wexford?—I have; but I have also heard these commercial travellers to whom you referred some time since, that there is a large sale of whiskey on Saturday afternoon in those districts by tenfold more than there was previous to the closing; of course I give you the statement as it was given to me, not as authentic.

4638. Did the commercial travellers lead you to understand that the whole thing was a disappointment rather than an improvement in Wexford?—They led me to understand that it was in the houses and residences of the people that whiskey is consumed on Sunday as a substitute for porter, and I am one of those who would consider that element of the question one of the most dangerous.

4639. Do you think that the Catholic owners in Wexford see more of the houses of the people than all the commercial men who merely come to the shops?—The commercial men would be a guide only for the amounts of drink sold, as the clergy would be of the habits of the people.

4640. Then, do you think that if Sunday closing was demoralising to the people, the Bishop of Ferns and his clergy would be better judges of that than commercial travellers, from what you know of the Catholic clergy?—I speak as a Roman Catholic, and would defer to the opinion of the Bishop of Ferns, or of any of the parish priests, rather than the opinion of any commercial traveller; but I can only state the fact which I have been told.

Mr. Sullivan—continued.

4641. In your mind which do you attach the more weight to, the evidence of the commercial men or the evidence of the Catholic clergy in Wexford, which has influenced your judgment most?—In my own mind the direct consequence of the prohibition of liquor on Sunday would be the substitution for the present porter and beer for whiskey.

4642. Excuse me, that is not my question; will you answer my question; in your own mind which do you attach more weight to, to the evidence of the Catholic Bishop of Wexford, or to the evidence of these commercial travellers who go there?—The commercial traveller only deposes to the fact of whiskey being sold; he does not refer to the circumstances.

4643. To which do you attach the more weight?—I consider the question lies this way. Of course the responsibility for the habits and conduct of the people devolves on the bishop and clergy; the commercial traveller only states a fact, if it be a fact; I am not advocating it, I am only telling you that it has been stated as a fact that the consumption of whiskey on Saturday is tenfold what it was. I confess at once that I attach more weight to the opinion of the bishop and clergy, but it is a question hard to discuss, because there are a lot of inferences that may be drawn from simply an affirmative answer.

4644. Commercial travellers are not often teetotallers, I believe?—Indeed, no.

4645. I believe a great many sales are made by commercial travellers by the aid of a treat?—I think that is a thing of the past.

4646. It used to be so, did it not?—Yes, certainly, 20 years ago, at the time that I refer to.

4647. I believe there is such a county in Ireland as Caran?—Yes.

4648. Did you ever hear that in Caran, the Bishop of Kilmore, the most Rev. Dr. Conny, and his clergy, have carried out this crotchet?—I admit the principle that as it is being carried out by the members of the hierarchy and the clergy.

4649. Then do I understand that the actual experience of many years trial of what you called awhile ago a crotchet on Irish soil, has been to induce the Catholic clergy who have tried it, to hold fast to it?—I think that I would arrive at an opinion upon that subject better if these gentlemen had been subject to a rigid cross-examination as to the effects of it, because we have merely their desire to have this done, and the imposition of their desire upon the people, simply from the reverence which is bestowed upon them, and which is due to them by the people; but we have not any revelation of the home scenes, or the scenes in public-houses, or the scenes in barns, or other scenes that might arise from the consumption of whiskey on Sunday.

4650. Supposing I read to you the solemn testimony of the most Reverend Dr. Leashy, as to the home scenes, and several of his letters on the subject, stating that all this evidence was in favour of the efficacy of Sunday closing, that would be received by you with respect?—I would accept it as evidence that great good had been done, but I would not, as regards my capacity as an individual, to judge otherwise, for one moment, that the imposition of a Sunday law would not be impolitic and unjust.

4651. You have heard of Galway in Ireland, have you not?—Yes.

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Mr. Sullivan—continued.

4652. Do you know that, struck by the success of the Sunday closing in the three districts I have named, the Bishop of Galway, a year and a half ago, introduced it into his diocese?—I did not hear of it, but of course you are stating that from evidence.

4653. Must it not be a very strong preconceived opinion that would call Sunday closing a crutch, and think it would not work good, with those instances of success on our own soil in Ireland?—I think if, in these cases that you have named, it is so successful, why not extend that movement, why not make it an imposition of goodwill, and not an imposition of law.

4654. Passing from that, I will ask you about these clubs; you would not think it right that in the Munster Club and your other clubs you could get drink throughout the day on Sunday, while the working man should be shut out from obtaining it?—I think the law should be thorough. I think we should close the clubs if we close the public-houses.

4655. You would not think it right that rich men should get drink at their clubs at any hour, and that the working men should not get it at the public-houses?—I do.

4656. Can you get drink at your clubs at any hour of the night; is it not lawful to get drink in them at any hour of the night?—There is always in a club a kind of social law observed. The servants must go to bed at a reasonable time. You can get it outside the hours that you can obtain it at the public-house; that can be done, without doubt.

4657. Would you abolish that?—I do not think there is the same necessity for talking of the classes who use these institutions.

4658. I thought that you were not in favour of one law for the rich and another law for the poor?—If a man belongs to a club and he has had social habits, he gets turned out; that of course remedies itself.

4659. Then you would have one law for the rich and another law for the poor?—That is not one law for the rich and another law for the poor. If a man makes himself disagreeable, or is quarrelsome in the club, he simply dies out of it; nobody speaks to him.

4660. I am talking about the law of the land; would you have the law of the land the same for all clubs as for public-houses?—It would not matter to me personally whether it was so or no, but I would not consider it a great grievance.

4661. Do you think it ought to be done?—I cannot give an answer off-hand, but I would be inclined to think it would do some good.

4662. You spoke awhile ago, as one of the reasons why there ought not to be Sunday closing in Cork, of the number of men who go out of the city on excursions; I think your words were these, that the Sunday Closing Bill would deprive them of the enjoyment, after walking 10 or 12 miles, of getting a little refreshment?—Quite so.

4663. Do you think that the Bill would do that?—Of course they would come under the *bona fide* traveller clause, but there would be the necessity of their satisfying the proprietor of the public-house that they were *bona fide* travellers; and if there had been infractions of the law committed a short time previously by the holder of the public-house, they may put men to such proof of their being *bona fide* travellers that it would be

Mr. Sullivan—continued.

distasteful to many, and you would not for the sake of enjoyment submit yourself to the cross-examination which would be entailed. So far as regards the *bona fide* traveller clause, I am of opinion that it would work very great mischief.

4664. Do you think it fair to plead against the Bill those words of yours, that it would deprive a young man after a walk of 10 or 12 miles of the chance of getting refreshment, when as a matter of fact there is a saving clause for him in the Bill?—You must look at the question in all its aspects; it might deprive him in this way, that it might not be worth the while of persons owning public-houses to keep open for *bona fide* travellers, and, practically, it might deprive him in that way.

4665. Then you do not think there would be much call upon the public-houses from excursionists?—The present class remaining in our streets gives such a profit to the owner of a public-house as induces him to keep open; the *bona fide* travellers alone might not be in such a sufficient strength as to induce him to remain open.

4666. Then your evidence is that the excursionist traffic out of Cork would not of itself be so considerable in the demand for drink to make it worth the while of the public-house to keep open?—The excursionist traffic, as I have said, is equal to from 15,000 to 16,000 in the summer.

4667. Is that to Aghada?—Yes, and to Crosshaven, to Church Bay, Midleton Bay, and all about there, and then they go perhaps twice in the season to Killybeg, or Macroom, and round about, but I would scarcely estimate it as it was estimated by Mr. Macleod; I would be inclined to give it a little higher range, between 16,000 and 20,000.

4668. Do you agree with him that, to a very large extent the people going to Church Bay, Crosshaven, and those places, take their own little refreshment with them?—They do.

Chairman.

4669. You were asked a question about the adoption of Sunday closing in certain Roman Catholic dioceses; does not it strike you that voluntary Sunday closing under the influence of the Roman Catholic clergy may be a very different thing to Sunday closing by law?—Yes; because the one you accept in deference to the monition of your clergy, and the other is imposed upon you by a law which you believe to be unjust and unequal.

4670. Are you aware why the Roman Catholic clergy in Cork have not taken the same course with reference to Sunday closing as they have in Wexford and other dioceses named?—I am aware that it has been given in evidence that it is the opinion of many who have had a large city experience as priests, who subsequently become parish priests resident near Cork, that in their opinion the total Sunday Closing Bill would not be so beneficial, or as good in its results, as the restriction of the hours on Saturday night, and the restriction of hours on Sunday, and my opinion coincides in every particular with that.

4671. Would you draw the inference, that even admitting that voluntary Sunday closing were a success in the dioceses named, it must be a decided failure in Cork, or it would have been tried by the Roman Catholic clergy there?—That is a subject too deep for me to pronounce

Chairman—continued.

on. I know that a very large element of the working classes in Cork have been drawn into what we call confraternities, that is, religious societies bound to certain religious observances at stated times, and I have a personal knowledge of the great good effected as regards temperance by those societies, but I cannot say that if the clergy who are at the head of those guilds and confraternities were to urge on the episcopal

Chairman—continued.

bishop to close the public-house, whether it would be success or not.

4672. Do you think that the circumstances of a great city like Cork and its surroundings in the matter, are the same as those of Tipperary or other small towns?—A proceeding may be good for Tipperary, and may be worked successfully there, but I would not be so sanguine about its success in Cork.

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Doherty.  
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MR. THOMAS ROBERT BARRY, called in; and Examined.

Chairman.

4673. WHAT is your position?—County Inspector.

4674. How long have you been County Inspector of Cork?—Very nearly 10 years.

4675. Are you stationed at the city of Cork?—Yes.

4676. What is the area of the police district in which the city of Cork is comprised?—Two thousand two hundred and twenty-six acres, and the population is 78,382.

4677. What is the force of constabulary within that area?—There are the county inspector, three head constables and two officers, and 180 men.

4678. What is the number of men on duty on Sundays?—The number on beat duty on Sundays during the day is 50 men, and the number on night patrols is 28, and I am sorry to say they are too little.

4679. How is that 180 men accounted for?—There are the city force, consisting of two officers, three head constables, and 150 men; then there are the auxiliary force, which are sent from the depot, of 30; and the total is two officers, three head constables, and 180 men. If you deduct six mounted men, that would leave 174; if you deduct 13 harnack orderlies, that would leave two officers, three head constables, and 161 men; then you must deduct five or six men sick, and there are sometimes as many as eight sick in the hospital, and the vacancies in the city force are about three at present.

4680. That leaves you 150 men?—Yes, 150 men, not including the auxiliary force, which would be 30.

4681. How are those 150 men divided into beats?—I have them divided in different parts of the city, in every street. They are kept up at beat duty till 11 o'clock at night, and during the remainder of the night there are only 28 men for patrol.

4682. And during the day one-third of the 150 men are on duty at one time?—They are.

4683. You said that you found that number scarcely sufficient. I want to direct your attention entirely now to the enforcement of the licensing law; do you find the number of men that you have at present insufficient for that purpose?—I do.

4684. In what way?—With the immense population of the city of Cork, the strong men are overworked, at present, watching every public-house. I have 511 public-houses in the city of Cork, and it requires great vigilance to watch them.

4685. Do you think that, out of those 511 public-houses, there are many that sell liquor 0.59.

Chairman—continued.

on Sundays, during the hours of closing?—There are many that sell liquors on Sundays, and I am obliged to watch many houses at present that tried to avoid the vigilance of the police during Divine service. My attention has been called to that no later than a very short time ago, within the last month or two.

4686. Have you a table there, stating the number of convictions for the illicit sale of liquor on Sundays in licensed houses?—Yes; the number of convictions for the sale of liquor at prohibited hours in 1875 was 40, and in 1876 it was 76; and the total amount of fines was 36 £ 12 s. in 1875; and in 1876 it was 137 £ 1 s., making an increase of 100 £ 9 s.

4687. Were those convictions for sale at prohibited hours in licensed houses?—They were.

4688. How many of those were convictions for the offence on Sundays?—There were 23 on Sundays in the year 1875, and there were 32 in the year 1876.

4689. Have you reason to think that that number of convictions does not at all represent anything like the number of cases in which the law was violated?—Certainly it does not.

4690. Do you think there is very great violation of the law in the city of Cork on Sundays in this matter?—There are more violations on Saturdays than on Sundays, and more arrests for drunkenness on Saturdays than on Sundays.

4691. To turn again to that table which you have before you, what were the number of convictions for the illicit sale of liquor in unlicensed houses on Sundays?—There were only two in what I call unlicensed houses, what I call shebeen houses in the city of Cork. There was one woman fined 30 £ on the 8th of August 1876, and another was fined 50 £ in January 1877, and at present is in goal for the penalty. I attribute that entirely to the vigilance of the constabulary in the city of Cork, watching over these houses.

4692. Do you think that that class of offence is sufficiently watched?—I do think it is sufficiently watched.

4693. Do you employ any of the constabulary in plain clothes to watch public-houses and shebeens?—I do.

4694. How many do you employ in plain clothes?—I have six or seven, and sometimes if I require it I put on ten men in plain clothes.

4695. Do you think that there has been any increase of sales on Sundays in public-houses at prohibited hours since the hours of opening were shortened in 1872?—Very little.

4696. There has been, has there not, a very considerable increase of convictions for that

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Chairman—continued.

offence in the last two years as compared with former years?—Yes, much more.

4697. To what do you attribute that increase?—I could not exactly say.

4698. Have you considered the question of the adoption of total closing of public-houses on Sundays in the city of Cork?—I should be a great advocate myself for that, but from my knowledge of the people of Cork and their social habits I think it would be injurious to close the public-houses on the Sunday. I would recommend that the houses should be open from two o'clock to six o'clock, and I would close on Saturday at eight o'clock, and not open on Monday morning until eight o'clock.

4699. Up to what hour are the houses now open on Saturday nights?—Where the population exceeds 5,000 they are open to 11 o'clock.

4700. At what hour do they open on Monday morning?—At seven o'clock.

4701. Then you would shorten the hours on Saturday night and Monday morning, and shorten them also by three hours in the city of Cork on Sunday?—Indeed I would strongly recommend that.

4702. Do you think it would be likely to lead to an increase of illicit sales in the city of Cork if the public-houses in that city were totally closed on Sundays?—I certainly do; it would require double the force to watch them.

4703. You spoke of the convenience of the people; also with regard to the matter, will you tell us your opinion upon that point?—Certainly it would be a very great inconvenience, from what I know of the social habits of the people. In Cork, latterly, I find the publicans particularly anxious to open the door for the constabulary, and they never oppose them, and I certainly find that even on Sunday they allow the constabulary to enter at any hour during the day to see if there is anyone drinking. There is a very good feeling existing between that class of people and the constabulary, and, in fact, in general that is the case.

4704. Public-houses are largely used on Sundays in Cork, are they not, by the people?—They are.

4705. Do many people come into Cork from the country on Sundays?—A great many.

4706. And do they take refreshments in public-houses?—They do, and they would think it a very great hardship if they were to be deprived of it; but they are so closely watched that they do not open the houses until the hours prescribed by law.

4707. With regard to many of those people who come in and who do not come in by railway, they would have nothing to prove that they were *bona fide* travellers?—It is very difficult to know if people are *bona fide* travellers or not. I would extend the distance for a *bona fide* traveller from three to five miles. It is very difficult, unless the constabulary have local knowledge, to know that they are *bona fide* travellers. It requires a constabulary to be at a station for a long time before they know strangers coming in, but if they had that local knowledge they would be unable to identify them if they were actually *bona fide* strangers; I find that a man would sooner walk three miles to get refreshments than he would walk five.

4708. With a number of people coming in from the country into a large city like Cork, it would be scarcely possible, would it, for the con-

Chairman—continued.

stabulary to know the face of every man, and to know whether he was a *bona fide* traveller or not?—They never come into Cork from the country until after Divine service; when they come in during the afternoon, between the hours of two and three o'clock, of course they take refreshment there.

4709. Supposing that the public-houses were open in Cork for *bona fide* travellers only on Sundays, that would, of course, so far as they were concerned, obviate any inconvenience?—Yes, it would.

4710. But might not a good many persons living in Cork obtain refreshment also under the false guise of *bona fide* travellers?—The people of Cork generally leave it of a Sunday. To my knowledge, from 15,000 to 16,000 often leave it on a Sunday in summer excursions, and they are very well provided with provisions and refreshments if they go to Crosshaven, or to Fermoy, or Middleton, and several other places on Sunday.

4711. Fifteen thousand or 16,000 persons leave Cork, out of a population of 78,000?—Indeed there do, and more than that sometimes in the summer.

4712. But you have got 80,000 persons still left in Cork?—The population is 78,000, and out of them 16,000, or thereabouts, might be found leaving Cork in summer.

4713. Are you acquainted with the places to which those 15,000 or 16,000 persons go on Sunday?—I am. They go down the river, and in cars; I never saw anything like it; I was perfectly astonished when I arrived in Cork to take charge of it, to find the number of people leaving it on Sunday.

4714. When they go to different places down the river, do they get refreshment in the public-houses at those places?—They take refreshments with them down the river.

4715. So that it would not hurt them if the public-houses in those places were closed on Sundays?—Certainly not.

4716. Mr. Macdonald gave us some statistics as to the number of arrests for drunkenness in Cork on Sundays compared with other days in the week; would you agree in the opinion expressed by him, that there were fewer arrests for drunkenness on Sundays than on any other day in the week?—Certainly.

Mr. Richard Smyth.

4717. Do we correctly gather from you that the inhabitants of Cork on Sundays do not as a rule use public-houses to any great extent in their own city, but they leave the city as excursionists?—I am aware that a great many leave the city who do not use the public-houses as formerly; they leave the city and get refreshments elsewhere, as well as bring refreshments with them.

4718. Is it the habit of the working classes in Cork to send out for jugs of beer for their Sunday's dinner?—No, it is not. Generally when they take refreshment they go into public-houses and take it.

4719. Those people who arrive in Cork would, I suppose, be regarded as travellers, and they would be supplied with drink if the Sunday Closing Law took effect?—Certainly not.

4720. Is it not the habit of the publicans now, in the case of the prohibited hours, to supply *bona fide* travellers with drink?—It is.

4721. That

Mr. Richard Smyth—continued.

4721. That is not illegal, is it?—I would look upon it to be illegal, but it is not so.

4722. Supposing that a traveller arrived from Malter at one o'clock on Sunday, and asked for refreshments in a public-house, would the pub-lican be entitled under the present law to supply him with that refreshment?—He would.

4723. Supposing that there was a total Sunday Closing Law with a saving clause for *bona fide* travellers, would not those excursionists, of whom you have spoken and who arrive in Cork in the afternoon, be supplied with drink under that clause?—They would.

4724. So that there would be no grievance, so far as these excursionists were concerned?—Certainly not. I am a great advocate myself of temperance.

Mr. Murphy.

4725. You stated that you thought that the public houses on Sunday should be closed at six o'clock in the afternoon?—I strongly recommend that.

4726. Does it strike you to make any difference between the hours of closing in summer and in winter?—In summer it might be extended for an hour, but I would strongly recommend them to be closed at six o'clock.

4727. Would you be inclined to make any difference between summer and winter in the hours of closing?—I would not.

Marquis of Hamilton.

4728. You have stated, in answer to a question of the right honourable Chairman that there were more violations of the law on Saturday than on Sunday, will you kindly explain to me what violation of the law you referred to; is it a violation of the law with regard to selling during prohibited hours?—I mentioned that there is more violation of the law on Saturday than there is on Sunday by keeping open public-houses during prohibited hours.

4729. Are not the public-houses kept open during the whole of Saturday up to 11 o'clock?—Yes; they are kept open up to 11 o'clock.

4730. Do you mean to say that after 11 o'clock the violation begins?—That has been very often infringed upon and the parties convicted.

Chairman.

4731. I understood you to say, in answer to my question, that there were 23 and 35 convictions for keeping houses open during prohibited hours on Sundays?—Yes.

4732. How many convictions were there in those two years for keeping houses open after the hour of 11 on Saturdays?—I have not that return with me.

Mr. William Johnston.

4733. Is it your opinion that the working men, the well-to-do mechanics of Cork drink water principally with their Sunday dinners?—No; they do not drink water.

4734. Then you do not agree with Mr. Macleod in that respect?—I think they drink every description, both water and beer and porter.

4735. Mr. Macleod was asked this question, "What do the well-to-do mechanics take with their meals at dinner, for instance, on Sundays?" and he said, "Water, I suppose; and then they go and refresh themselves after their meals, and enjoy what they consider the luxuries of a public-house with their families"; is that your expe-

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Mr. William Johnston—continued.

rience?—No; they go to the public-houses after their dinner.

4736. Do the well-to-do mechanics take their wives and families into the public-houses on Sundays?—No; I believe this, that the well-to-do mechanics, and altogether the respectable portion of the people themselves have beer and porter to drink and sometimes whisky.

4737. You are of opinion, as I think, you have already stated, that the excursionists out of Cork take their refreshments with them; would there be any difficulty in the excursionists into Cork bringing their refreshments with them?—No, not at all.

4738. So that there is no absolute necessity to supply excursionists with refreshments in Cork, by keeping the public-houses open on Sunday?—No, certainly not.

4739. What are the general amusements of the people in Cork and the neighbourhood on Sundays?—On Sundays they go down the river; they go everywhere, to the country, with their friends, and they would consider it a very great hardship, when they go with their friends, or go socially amongst themselves, to be deprived of going into a public-house after two o'clock to take some refreshment, if they walked 10 or 12 miles.

4740. I think we had it in evidence to-day that one of the amusements of the young men was going 10 miles with packs of dogs, in the neighbourhood of Cork; is that the case?—They generally do, and sometimes they take refreshment with them in a bottle.

4741. Would not that make them more than usually thirsty?—It is usual for those young men to take a flask of brandy or whiskey. They very seldom take ale or porter bottles in their pockets, because they will not hold them. It is very natural for them to take a little drop either of cordial or whiskey in their flasks when they go out for their own amusement, and I certainly would not deprive these poor people of their amusement going out into the country on Sunday, even with their dogs.

4742. But it would not be necessary to keep public-houses open for those that go out to follow the dogs?—The public-houses might be open. I am the greatest advocate myself for temperance, but I would certainly be very sorry to deprive the people in the south of Ireland of any of their amusements or enjoyments. They are so social amongst themselves, and I am happy to say that there is a better feeling existing now in Cork than there has been for years past. The Catholic clergymen have been most active in keeping down temperance; but I would most strongly recommend that parties found drunk on Sunday within the prohibited hours should be summoned to give evidence as to where they got that drink.

4743. Have you ever consulted the feeling of the Roman Catholic clergy of Ireland upon the subject of closing the public-houses on Sunday?—As to the feeling of all the Catholic clergymen in Ireland, it would be very hard for me to give an answer to that question, but so far as I know the Catholic clergymen, they are great advocates for temperance.

4744. Are they not very largely advocates of the total closing of the public-houses on Sunday?—I cannot say that they are in Cork. I am aware that they are in Cashel and in Wexford; and I am aware that they are so in many other places.

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Dr. JAMES GOOD CURTIS, called in; and Examined.

Chairman.

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Dr. Curtis.  
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4745. I THINK you are Surgeon to the Constabulary in Cork?—I am.

4746. Do you hold any other official position?  
—I am surgeon to the Bridewell, and surgeon to the County Hospital.

4747. How long have you held those positions?  
—I have been 16 years a dispensary physician in Cork, and about seven years surgeon to the constabulary and the Bridewell, that is the lock up; there is but one in Cork.

4748. In those positions you have had, I suppose, a good deal of experience of drunkenness amongst the lower classes?—Very great.

4749. Have you considered the question that is before the Committee, viz.: the applicability of the total-closing system to the public-houses in Cork?—Yes.

4750. Will you tell us your views upon the subject?—I think that the total closing of the public-houses on Sunday would be injurious. I think that it would lead to illicit drinking. I know myself in one case where I was called professionally to see a person sick in a public-house, about half past eight on Sunday-morning; the place was close to the city, and on my approaching it I saw a number of persons running towards the door. No police could get near that door without being seen. After some time I got into the house, and I saw some 16 or 18 persons drinking in the tap-room. I think that this is a thing which takes place considerably; and I think that if the public-houses were closed on Sunday altogether this would increase; also, I think that artisans and the lower class who now drink porter and ale at the legitimate hours on Sunday, would take to buying drink on Saturday night. They could not buy porter or ale as it would not keep; they would by a most pernicious stuff, whiskey, that would be taken into their houses, and the first thing in the morning there would be whiskey drinking. And in addition to the desecration of the Sabbath, the children would be injured by the sight of this drinking, and perhaps in aftertime, speaking of people of the lower classes, their health would be so injured by this, that in years to come the general physique of the people would be injured (and we know that the offspring of such persons become degenerated) from the effects of this whiskey which they would undoubtedly have to take into their houses. I think that the evil would be so great under those circumstances that it would outweigh the benefit resulting from the closing of public-houses.

4751. Do you think that of late years it has become more the habit of the working classes in Cork to drink porter or beer in the place of whiskey than it was formerly?—I think the habituals drink whiskey, and the other class of the people drink porter and ale.

4752. Your view is that the closing of public-houses on Sunday would tend to induce the second class that you have named, to substitute whiskey for the porter and ale, much to their detriment?—Decidedly; porter or ale would not keep. They would club together and take in so much whiskey, and on Sunday they would meet, drink, smoke, and gamble, and then there would be a desecration of the Sabbath.

4753. Do those persons at present frequent the public-houses on Sundays?—The persons that frequent the public-houses on Sundays do so mostly for sociality sake, to meet their friends and fellow-workmen who have been working with them on the work days, and it may be that they might never go into a public-house until that day of the week. Of course there is the habitual whom nothing will prevent. I have just looked over the commitments for the 12 Sundays of January, February, and March of this year, and I find that on Sundays there were 68 persons admitted for drunkenness into the Bridewell, and out of those there were 39 habitual drunkards.

4754. Do the class of persons who are now becoming more consumers of beer and porter than whiskey, take their families with them to the public-houses on Sunday?—No.

4755. They leave them at home?—They take them out with them for a walk, and it may be that they go in themselves and take a glass of ale or porter, but you seldom see any persons of the artisan or labouring class take their wives or children to their detriment. There is a very general feeling amongst the lower classes in Ireland to have respect for themselves, their children and wives on Sunday. They go out better clad, and they do everything with decorum as much as possible. Of course there is a certain strain underneath that are very bad, those that are habitual drunkards, I mean.

4756. Turning to the question of illicit sale, you gave the Committee one instance which had come under your notice during the hours of closing on Sunday; have other instances of the same kind come before you?—Yes; I have frequently seen people when going about on Sunday mornings peeping out of one or two public-houses and coming along the streets, and one or two people who had no right to be in a public-house drinking. I have heard that illicit drinking does take place in prohibited hours on Sunday.

4757. Were those houses which you noticed public-houses?—Yes; I am only speaking of public-houses; I think these are the only two public-houses in Cork where that has been done.

4758. You do not think there is much abstinence in Cork?—I think that if this Bill were to come into force, you would have every old woman that sells vegetables, oranges, and such small things keeping whiskey of a bad sort. Some years ago there were a number of this class who went about the quays at night with bottles of whiskey selling it to the workmen that were coming from the ships, or unloading the ships, until through the vigilance of the police that hawking of whiskey was all put a stop to. Another case came under my notice in the Bridewell the other morning. A young man was going to his work, and he met two other men; he took but two drinks, as he told me of whiskey, and it had such a poisonous effect upon him it acted like an irritant poison, it brought on such vomiting that he burst a blood



## Chairman—continued.

a blood vessel and was very nearly losing his life; that is a sort of thing to be deplored very much, I mean the sale of bad, frightfully hot stuff; I have known immediately when I went into the Bridewell what a man got drunk upon, whether it was from porter or ale, or whether it was from whiskey. You would see a man who has got drunk from porter or ale lying down taking a sleep for a few hours; he slept it off, and he would go to work and do his business; and you would see when people came in who had got drunk on that hot stuff, they invariably kick about and create a great disturbance, and it may be that they are not able to go to their work for a day or two, and in the morning when they come out such people must be constantly drinking water, owing to the frightful thirst which is on them. A man who takes porter, if he is brought in at 11 o'clock, he is fit to go out in a couple of hours perfectly sober, and his health not injured. There was an increase of committals for drunkenness last year in Cork, from the month of August, and that is a good deal accounted for. There were some places in Cork in which some 300 or 400 women of the lower class lived, and there was a raid made on them, and the Catholic clergy thought that Cork would be better without that class, and those women were driven from their homes; certainly there were a great number of them put into refuges, and all the others drifted in various directions, a number of them living in the fields and bushes about the city, and were constantly getting drunk and getting again into the Bridewell. This accounts, I would, say greatly for the increase of drunkenness, and is not a shot against the morality of the city. I do not believe that the immorality of the city has increased, but this will tend to account for the greater drunkenness. Now the consequence is there is not a brothel or any place of that kind in Cork, and there are but a very few women of this kind living in the city. They are driven out to live near the barracks and near the forts and all round the country. They steal in by night and then get out in the mornings to live in the bushes and fields during the day. Of course the Contagious Diseases Act is in force in Cork, and that has tended to lessen the number of them.

4758. Are you aware whether the clergy who have taken action in this way against those persons have ever advocated a voluntary Sunday closing in Cork?—I can speak on the authority of the Protestant Chancellor of Cork, and the Catholic Dean of Cork, both of whom have asked the question with regard to Sunday closing, and they both are against it; they think that a modification, shortening of the hours, would have a more beneficial effect. The Roman Catholic clergy I have spoken to go on this fact, that if a man wants to take the pledge he can do so; they will not force a drunkard to take the pledge; they will try and bring him to do it voluntarily, because they know that forcing him does good merely for a time, and that he will become as bad afterwards, unless he comes voluntarily to it. In the cases of gentlemen that I have spoken to, and in cases of merchants and shopkeepers of a higher class that I have spoken to, every single person that I have ever spoken to says that it would not be right for the city of Cork, and I also say for the county of Cork, that this Bill

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## Chairman—continued.

should take effect. Let it be modified, and see its effects, for four or five hours, but to close altogether I think would be injurious.

4759. That is not quite the question I ask you; the point I am anxious to ascertain is whether the Roman Catholic clergy who have taken a certain action against a certain class of persons in Cork, and who have in other dioceses of Ireland obtained voluntary Sunday closing on the part of the publicans, have attempted in Cork to obtain voluntary Sunday closing?—No, they never attempted that at all. In those districts where the clergy have got up this voluntary closing of public-houses, they all belong to their flocks, that is to say, they are Roman Catholics; but in Cork there are a great many other religious faiths besides the Roman Catholic, and I do not think it would do at all for the Roman Catholic clergy to set it up where there are so many different religions. I have occasion to go through the City of Cork at all hours, and I must say that Sunday could be held up against any day in the week for orderly conduct, for quietness, and for sobriety. I have been out at all times of the day and night; as it is my duty, having under my dispensary 18,000 inhabitants, comprising the lowest part of the city, but still I have reason to know, and I speak from what I have seen, that Sunday drinking was not carried to that excess; nor do I believe what I have read in Mr. Macleod's evidence, that people go on Sundays boozing, and sitting for hours in the public-house. I think I have more opportunity than any person of gaining practical information of what takes place in Cork more than any person in it, because it is my duty to be there at all times and in all places.

4761. You think that Sunday closing would inconvenience persons who want moderate refreshment?—Yes, decidedly.

4762. And the contrary would be specially inapplicable to Sunday that being the day of the week when there is least drunkenness?—Yes, when there is the least drunkenness, certainly.

4763. Have you been present at any meetings that have been held upon the subject in Cork?—No, I have read about them, and I think that the opinions of a great number of the respectable classes of persons who think upon the subject have very much changed since this Committee met. Every newspaper in Ireland gives an exact account of what is going on here. This Committee has been talked of in every house of both rich and poor, and people are beginning to think whether it would not be a serious inconvenience, the carrying out of this measure, and in my walk of life from my acquaintances I have reason to know that that is the case; all the men, Protestant and Catholic, that I have spoken to, clergymen, merchants, and doctors, are of opinion that a modification, that is from two o'clock to six or seven o'clock in the evening, would be the proper thing to do.

4764. Are you acquainted yourself with any men in Cork who have been prominent advocates of Sunday closing there before, and who have changed their views?—I think that the meetings that have been in Cork for Sunday closing, as far as my humble judgment goes, are all carried out by the same persons who get up anti-vaccination agitation, anti-contagious diseases agitation,

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agitation, and anti-everything; they are all the same persons that I have seen, and the names of the speakers are always the same.

4765. Have you any knowledge of the house-to-house canvass that was conducted in Cork upon the subject?—I have. I do not think the people at the time sufficiently considered much about the thing. It is more considered now since this Committee set them over it was. I think the people are beginning to think, and I think that if a house-to-house canvass were carried out in Cork now, you would get nine-tenths of the respectable classes to give their adhesion to having the places open for certain hours, limiting them if you like on other days in the week; but I am now confining myself to Sunday. I should say that Monday is a great drinking day in Cork.

4766. Monday morning or evening?—Monday afternoon. There is more money given out of the pawn offices on Monday than any day in the week; it is the women who drink on Monday; they have a saying in Cork that Saturday is the Drury day and Monday is the Oaks day.

4767. Do you concur in what County Inspector Barry has told us as to the drinking on Saturday nights?—The drinking on Saturday nights is very great, and on Friday also. Friday is the day on which a great number of employers pay their wages to their men, and it would be better if they were paid on Thursday. The most pernicious thing that ever occurred to Ireland and to Cork is the half holiday on Saturday, and the people themselves now are beginning not to like it at all. I am speaking now of masons and carpenters who have sons, and who say that they have nothing to do from one o'clock but to go drinking, whereas if they were kept hard at their work they would not have the time.

Mr. Richard Smyth.

4768. You have no prejudice against the principle of Sunday closing in general, I suppose?—It would put more money in my pocket if the Bill came into force a great deal, because there would be double the amount of police force in Cork, and I should get double the amount of pay.

4769. You have formed no general opinion against the principle of Sunday closing for Ireland?—We all deplore the drunkenness and would be glad to adopt the best way to get rid of it.

4770. But you have formed no general opinion against the principle of Sunday closing for Ireland?—No, in no way, one way or the other; except where I think it would be an injury or an injustice.

4771. That is to say, with regard to the general question of Sunday closing in Ireland, you have formed no definite opinion?—I think it would be injurious.

4772. To the whole of Ireland?—Yes.

4773. And it is from that point of view, I suppose, that you have given your evidence here to-day?—I have given my evidence particularly as to Cork; I confine myself to Cork.

4774. You have stated, I think, that whiskey is pernicious stuff?—Bad whiskey, not good whiskey.

4775. Will you, as a medical man, tell us

Mr. Richard Smyth—continued.

what it is in whiskey that makes it pernicious?—In the case of whiskey made from rice I cannot exactly tell, because one of the most difficult things we have is to detect bad whiskey, except by its effect upon your bodily powers and nervous energies, because it requires such a quantity of whiskey to find out whether the fuel oil is good or bad; it all depends upon the fuel oil. Every whiskey must have fuel oil in it, and to test whether the fuel oil is good or not it is very hard to know. But I have heard from publicans an account of how whiskey is doctored, and it is a most fearful thing to contemplate. I cannot exactly now give you a list of the things, but all sorts of stuffs are put into it. I see the effects of it, and they are very dreadful.

4776. You do not think that a dose of what you would consider good whiskey would have any pernicious effect upon a man?—No, on the contrary, it is sometimes very necessary.

4777. What would you consider a dose that would be under the line perniciousness?—Two glasses of it would knock down any young man.

4778. I am now speaking of good whiskey?—It is not in the power of good whiskey sometimes to make a man drunk, but it is not in the reach of a man in a public-house to get a pure glass of whiskey, that is malt whiskey, three or four years old.

4779. Do you say that it is not in his power to get a good glass of whiskey?—Unless he pays very dear for it.

4780. Do the publicans of Cork almost universally keep bad whiskey?—I am sorry to say a great number of them do.

4781. If it is very difficult for a working man to get good whiskey, are we not to infer from that that most of them keep bad whiskey?—There is a great number of them do keep bad whiskey.

4782. Do they generally keep it?—There are a respectable class of publicans in Cork that get good whiskey, but the consumption of whiskey is so great that they cannot afford to keep it any length of time, until it matures; it is new, and in the case of those whose whiskey is doctored it is very bad; at the same time I would not say that the publicans, as a rule, do make a compound so injurious as that, but it is to be feared, and as I say, if illicit drinking was to increase, that compound would become worse and worse.

4783. Do you adhere to the answer you have given, to the effect that it is very difficult for the working man in Cork to get a good glass of whiskey in a public-house?—If he has money he can get it at a respectable place.

4784. But not at the general run of public-houses?—I would not say that; but there are some very low public-houses that these men frequent, where it is very bad stuff indeed.

4785. Do the working men generally frequent the low public-houses?—It is according to the locality.

4786. If it is difficult for a working man to get a good glass of whiskey, and if it is the low public-houses that keep very bad whiskey, do you convey that the working men generally go to the low public-houses in Cork?—It is the habitual drunkard, at present, that mostly drinks whiskey; five-sixths of the working class and the artisan class drink porter and ale, but the habituals find

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Mr. Richard Smyth—continued.

that that is not strong enough for them, and they drink whiskey.

4787. I am now just speaking of the working men of Cork generally, who find it a great difficulty to get a glass of good whiskey; is it their habit to go to the low public-houses and not to the respectable ones?—I would not say so; the locality is the great thing, but the great mass of the people of the working classes do not drink whiskey; they drink porter and ale, and that is the very reason that I say that it is a pity to drive them to the whiskey house.

4788. Then you do not agree with the evidence that has been given already from Cork, that it is the habit of the people to drink whiskey as a beverage, and not beer or porter?—Indeed, I do not agree with that.

4789. Do you disagree with Mr. Barry as regards the Sunday dinner of the working classes?—I think about 20,000 people of that class who take their pint of ale or beer get it in at two o'clock or half-past two o'clock, when the public-houses are open, on Sunday, and have it at their dinner.

4790. Have you ever seen the people go along the streets of Cork with jugs of beer for their Sunday dinner?—Yes, frequently.

4791. So much so that you would think it an habitual practice in Cork?—No.

4792. It would be very exceptional, would it?—Not to a great extent. I believe there is a certain class that send out to the public-house on Sundays, when they open at two o'clock, and get their pint of porter, because there is very little beer drunk in Cork.

4793. Is porter generally drunk in bottle or in draught?—Draught porter.

4794. Mr. Macleod in his evidence was asked at Question 4411, "Is there any considerable demand for dinner beer on Sunday from the public-houses?" and he replied, "I am not aware that there is. I do not think that Cork men ever think of sending out for dinner beer; I do not think that they have that habit inculcated." Do you agree or disagree with that?—I disagree with that; I think I have a greater knowledge of those people than Mr. Macleod has, and I see them getting their pint of porter or pint of ale at that hour, and I have made inquiries about it, and from the inquiries that I have made I have formed the opinion that I am right.

4795. Did you say that you thought that 20,000 persons got in beer on Sundays in Cork?—I would say from 15,000 to 20,000 would get in porter; I suppose there are not ten people of the artisan or lower class, or small shopkeepers that buy bottled porter or bottled ale.

4796. Taking the population of Ireland, are you aware of the average number of persons in each family in Cork or in any other town?—I have never given that a thought.

4797. You have no reason to suppose that it would be otherwise than the number five?—No.

4798. Taking five, then, as the average number of persons in each family, and taking 20,000 persons as sending out for beer or porter in Cork for the Sunday dinner, how many families would that number include in the City of Cork?—I should suppose that you would multiply it by five, and that would make it 70,000 or 80,000.

4799. That is the entire population of Cork?—Yes; I think it is about 80,000.

Mr. Richard Smyth—continued.

4800. Do you adhere to your answer that the entire population of Cork have beer, ale or porter for their Sunday dinner sent for at the public-house?—I think the father of a family generally takes a pint of porter on Sunday at his dinner; that is to say the good well-to-do working men, the artisans, and the shopkeepers.

4801. All those persons do not send out for it on Sundays, do they?—No, not all of them.

4802. Do some of them get it in on Saturday?—No.

4803. When do they get it in?—Those that drink draught porter send for it to the public-house, or immediately after taking their meals they may go to the next public-house and take a pint of beer, and go on and take a walk.

4804. What proportion, do you suppose, send for it on Sunday?—That is a very hard question to answer, I should think.

4805. You have not, I suppose, turned your attention very specially to that?—Not very specially to it. I have not made out statistics of the numbers because it would be almost impossible to do it, but judging from my knowledge and from what I have heard, there are a very large number.

4806. But your answer was rather an adventure than anything else, I suppose?—I could not go within thousands.

4807. Not based upon any specific knowledge?—No.

4808. You have stated that it is the habit of the working classes in Cork, or the head of a family, to go out with his wife and his children, and, on passing a public-house, the husband goes in for a drink of beer, and leaves his wife and children outside; do you convey to the Committee that you approve of that practice?—I do not see any harm in it, unless he stops there too long, and he takes his wife and children in there, then it would be injurious to the children to see it going on; it would be a great deal better for him to go in and take a pint of porter and come out again, then to take his children into it.

4809. Do you not think he would be under any temptation to remain there longer than his wife liked?—I think that the wife and children being outside would make him come out the moment he had drunk his porter.

4810. But it would not make him stop from going in?—That is all according to his taste.

4811. Still that is a state of things which you highly approve of, do you not, in Cork?—I do not approve of drunkenness in the slightest, but I approve of a man if he wishes to take a proper amount of drink without using it to the detriment of his health, or to the injury of his wife and family; by that I mean spending the money that he otherwise should give to his wife and children; and that is the class of people that I particular protest would be injured by this Bill; people who take a pint of ale or a pint of porter would not injure their health, neither would it take anything away from their wife and family but what they could afford.

4812. That is to say you object to this Sunday Closing Law, because if a man was going out for a walk in the afternoon with his wife he could not leave his wife and family, and go and get a drink of beer, and then come out again; do you object to it on that ground?—I think he should be allowed to do that.

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4813. You

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Mr. Richard Stuyth—continued.

4813. You think it would be a great grievance if he had not an opportunity of leaving his wife and children outside, and going in and getting a drink?—I think if he chose to do that it would be a grievance to him; if a rich man goes out of town, and goes to see a friend, the first thing he is offered is a glass of wine and a biscuit, and I do not see why other men should not get a glass of beer.

4814. You think that the advantage to the wife and children would counterbalance the inconvenience to himself?—I do not think it would inconvenience himself or his wife.

4815. You have spoken of the opinion of the Catholic clergy in Cork as being in favour of voluntary abstinence, but not in favour of a repressive law?—Not of coercive measures, certainly.

4816. Does that apply to Cork only, or to the whole of Ireland?—I do not speak except for Cork. I think it applies to Cork, and not throughout Ireland. I think no Roman Catholic clergyman, so far as I know, would like to force a man into taking the pledge; he would use persuasive measures, and let the man come voluntarily, because a voluntary effect may be permanent, but a coercive measure would be made to be broken.

4817. Of course you have heard of Cardinal Cullen?—I have.

4818. Have you heard that he is in favour of Sunday closing for the whole of Ireland?—Yes, I think I have.

4819. Do you exclude him from the clergy of Ireland, of whom you speak?—I only speak for the clergymen that I have named. I am certain that if the clergy of Cork, and the Bishop of Cork, who is as sensible a man as there is in Ireland, thought that Sunday closing should be carried out in Cork, he would have taken measures to have carried it out if it was so successful in the other places.

4820. Are you aware that nearly the whole of the Catholic hierarchy of Ireland are in favour of this Sunday Closing Bill?—I speak only for the clergymen in the south of Ireland and Cork; I never heard it, to my knowledge, ever brought forward publicly that the clergy were in favour of total Sunday closing; it may have been so, but if they think so, they have not made any public expression to allow the citizens or the people to know that that was their opinion.

4821. On what ground do you profess to give an opinion that the Catholic clergy of the whole of Ireland are against a repressive law of this kind?—I did not say that; indeed, I have nothing to say of the clergy in any place excepting Cork. From my knowledge of the clergy of Cork, if they thought it was a good and wholesome law, we should have had some expressions from them publicly, as has been done publicly in other parts of Ireland. I am only drawing an inference; I do not speak from authority as to any part of Ireland; if they thought it good, I am sure there are just as enlightened men at the head of the Catholic Church in Cork as there are in any part of the world.

4822. You have said that there has been a much greater air in Cork with reference to the Sunday Closing, and discussion on the subject since this Committee began to sit than previous to that time?—Yes. To-morrow morning every house

Mr. Richard Stuyth—continued.

in Cork that takes a newspaper in will have every word that I have said here to-day.

4823. There is a good deal of excitement about it, is there?—No, there is no very great excitement about it; there is an expression of opinion.

Dr. Cameron.

4824. You mention that it was your opinion that if the people of Cork were compelled to drink whiskey, especially bad whiskey, on Sundays, it would probably lead to the deterioration of the species?—Yes, that is the principle which is laid down by all physiologists, that children begot by drunkards are sometimes imbecile and cripples, and are liable to all the ills that flesh is heir to.

4825. That would be an operation extending over a considerable number of generations under such circumstances, would it not?—It is according to how soon or how late the consumption would become great or not.

4826. Scotland has had 20 years of Sunday closing; is there any physiological evidence as to the deterioration of the people, and the increase of imbecility amongst them during those 20 years?—I do not know. I cannot speak with regard to that, whether there has been actually any statistics taken out; but I know that the fact is a fact proved by persons capable of doing so.

4827. Do you know whether the deterioration of the species in Scotland has already begun to manifest itself?—I did not say so.

4828. You mentioned, I think, in reply to a question of the honourable Member for Londonderry, it was rather your pecuniary interest that this Bill should be applied to Cork, because if it were, there would be a much larger number of the constabulary employed, and your income made proportionately larger?—It would be naturally increased.

4829. Would the increase of the constabulary to which you have referred, take place on Sundays only, or should it be required during the entire week?—I think that to prevent illicit drinking on Sunday, it would take three times the amount of police that there are in Cork.

4830. Are you aware that in Edinburgh, which is under the Sunday Closing Law, and it has been for years, the number of police employed on the beats on Sunday is only one-third of that employed on other days of the week?—I am not aware of that.

4831. That was given in evidence; but you are not aware either that it was given in evidence that in Glasgow, where the same state of things prevails, the number of police employed on Sunday duty is only two-thirds of that employed on week days?—Because people get drunk in their houses, and not in the streets.

4832. Then the deterioration should go on very rapidly?—I believe it will. I believe Scotland will be immensely injured by the Act which is in force there in future generations.

4833. You spoke about good and bad fuel oil; can you tell the Committee what is the scientific term for fuel oil?—I have not given any attention to that subject, any more than asking one of our chemists about it; it is a subject which I do not know anything about, as it does not come within the scope of my professional knowledge to inquire about whiskey. I only just casually heard

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Dr. Carrigan—continued.

when I inquired about it, but I did not go any great depth into it.

4834. Then you are not aware that fusel oil is a fixed compound; and that amylic alcohol, which is the scientific term for it, does not vary, and is never either better or worse than amylic alcohol?—I have the authority of an eminent chemist to say that it is the fusel oil, whether it is good or bad, which is so injurious, whatever it comes from; but I have not given much attention to it.

4835. As a matter of fact you cannot speak of it?—No.

4836. I suppose the people of Cork treat each other considerably when they go to public-houses?—Yes, they are a very sociable, friendly people.

4837. If three men go into a public-house, what would be the average number of glasses of beer or porter, or whiskey that each would take?—They would take certainly a pint of beer or porter a-piece, and that would not be much.

4838. One man would have to stand a pint of beer in the first place; would not the others then stand pints?—Yes, very likely.

4839. That sort of thing would not go on if they were drinking in their own houses, I presume?—They could not have the drink in their own houses.

Mr. Murphy.

4840. I think you stated, in answer to a question, the number of commitments on Sunday, of which you have a list for the last three months; what was the number of commitments to the bridge-well during those last three months on Sunday?—In those three months there were 58 drunkards admitted.

4841. Have you any means of knowing what proportion, if any, of those 58 so admitted were re-commitments of people who were habitual drunkards?—There were 39 out of the 58 who had been committed at some previous periods, and there were 19 who had never been committed before. In the case of some of those re-commitments they had been committed a dozen times.

4842. You spoke about the fact of public-houses not having good whiskey; did you mean by that new whiskey or not old whiskey?—There are hardly any public-houses that have old whiskey, because the traffic in it is very quick, and the exportation very great, and the distilleries are hardly able to meet the demand.

4843. Do you call that bad whiskey?—No; it is not nice to drink, certainly; it would give you a headache.

4844. What you distinguish as new whiskey is not the bad whiskey which forms the deleterious stuff which you mentioned?—That is amongst the very poor set of publicans.

4845. That is the stuff which produced those shocking effects which you mentioned in the case of the young man who, after taking two glasses of whiskey, was in a very bad state?—It acted upon him as an irritant poison.

4846. I suppose, from the nature of your professional avocations, you have been constantly in the habit of being through the city of Cork at all hours of the day and night?—Yes, at all hours of the day and night for the last 17 years.

4847. As a general fact, will you state what is

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your opinion as to the state of the city of Cork on Sundays?—I may say, no matter at what time or at what hour, it contrasts most favourably with any other day in the week.

4848. So far as external order is concerned, you conceive that the Sunday in the city of Cork is one of a remarkably orderly nature?—Very much so.

4849. And that, with regard to passing this measure, if the object of it is to do that, it is not necessary?—No, indeed.

Mr. Sullivan.

4850. You have told us of the scene that you witnessed at some place where illicit drinking was going on on Sunday morning amongst a number of people; do you think that a great evil?—I think it is very wrong.

4851. Do you mean wrong as against the law, or wrong morally or physically?—Wrong against the law, and wrong physically; because if it was allowed there would be no check on a person drinking, for if the authorities are not alive to it a person may go on drinking to that extent until he gets heavily drunk.

4852. That was illicit drinking, was it not?—Yes, but if that public-house was open, if a person came out of it drunk it would come into the hands of the law at once, and as a test I think that the arrests for drunkenness are the great test of drinking, because if a man is drinking in a public-house he has to walk home.

4853. Would you try and give me an answer to my question; do you think it a great evil that sight which you witnessed in an illicit place, people drinking before legal hours on Sunday?—I do, for two reasons, that it was breaking the law, and it was at a time when those persons ought to have been in a place of worship; the law specially closes public-houses for that reason, and I think it would be injurious to allow people to drink on Sunday morning, because it would prevent persons attending a place of worship.

4854. What hour was it?—I think about half-past eight or a quarter past eight.

4855. And do you mean to tell me that people could not have gone to their places of worship at 12 o'clock; how could it keep them from worship that begins at 12 o'clock?—Certainly, if a person begins drinking in the morning he has no inclination to go to worship.

4856. That is assuming that he continued drinking?—I cannot tell; the opportunity was there for him to drink, but I could not tell whether he did drink or not.

4857. But you consider that an evil, because it would prevent people from being in their places of worship; do not you know, as a matter of fact, that all the churches in Cork open at six o'clock, and that masses are from six to 12?—Yes.

4858. Would it have been an evil in the case of those people who had been to service in the morning?—I am not aware whether they were there before or after; they might not have been there for two hours previously.

4859. Supposing that they had been at a religious service, would you still consider it as much an evil as before?—That it would be only an evil against the law.

4860. Would not it be a moral evil?—It would be breaking the law.

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4861. Would

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Mr. Stillewé—continued.

4861. Would it be a moral harm or a physical harm?—Not more than if the public-houses were open.

4862. Then it would not be any great harm, legally, if the public-houses were open?—It would, because up to a certain hour it is supposed to be the Sabbath-day for all religious denominations, and the law protects all classes of service; two o'clock is the time when all the churches and chapels are over.

4863. Supposing that the law said that they might open in the morning, would that be, in your judgment, either moral or physical harm?—No; if the nation said you may open public-houses during Divine service, and all agree in doing it, but where some persons would be annoyed by the place being open during Divine service, no matter how small the minority, I do not think that the majority ought to press it on them.

4864. You said if the nation said so; do you mean Parliament?—Yes, Parliament.

4865. Then if Parliament passed a law to open the houses in the morning on Sundays, there would be no moral or physical harm, according to your judgment?—No, but if a minority of a particular sect protested against it I do not think that Parliament ought to do it.

4866. Let us suppose that a minority protest against having the houses opened on any hours on Sunday, what would you call it if Parliament deferred to that minority, as you say they should?—I should call it an injustice.

4867. Do I understand you to say that Parliament should shut the houses in deference to the conscientious opinions of the minority?—Where the minority were injured.

4868. Who would be the judge of their injury?—I could not exactly answer that question; I think the majority would very likely be the judge.

4869. Do I understand you to say that you would open or shut public-houses at particular hours on Sunday in deference to the feeling of the majority or minority?—There is no use in saying the minority, because the majority would carry it.

4870. I wish to know what is your opinion, for the guidance of this Committee; ought Parliament to open or shut public-houses at particular hours on Sunday, in deference to the views of the minority or the majority?—Of the majority, I would say, of a particular place or of the persons who are interested.

4871. Who are interested; have not all the community an interest?—Yes; but you may find more in one place than in another.

4872. Then you would have it optional with each district?—Certainly, I would be inclined to do so.

4873. You are for what is called the permissive principle, each locality fixing and suiting itself?—I think there is a good deal in that.

4874. As to illicit drinking going on at present before the houses are legally open on Sunday?—I would shorten them from two to six o'clock in the winter, and seven o'clock in the summer, on Sundays.

4875. When would you close them on Saturdays?—Earlier than at present.

4876. At what hour?—About nine o'clock;

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that would take off two hours, and if that worked well they might take off another hour after that.

4877. Is there not a good deal of drink bought and sold between nine and eleven o'clock on Sunday nights?—A great deal of drinking goes on between nine and eleven o'clock.

4878. Did I not understand you to say that if you stop them from getting it in legal houses, they will often go to shebeens; would you not drive people off to the shebeens on Saturday nights if you stopped those two hours?—They do not want shebeens on Saturday night, they want them on Sunday.

4879. Is not the principle the same, that if you shut a man off from getting it in legitimate houses, as it is called, they will go to illicit houses?—No public-houses will have drinking on Sunday.

4880. You mean illicitly?—Yes.

4881. Would not they do it on Saturday nights?—The public-houses close at 11 o'clock on Saturday night.

4882. If you shut them at nine o'clock you cut off two hours, during which those places are busiest; according to your own principles, would not you thereby fling them into the temptation of illicit drinking?—You would certainly have to take more precautions by the police force to prevent it. It would require greater surveillance of the police. If you passed a law now to close the public-houses at nine o'clock on Saturday night, it would take a great deal more police to guard it until the hour for bedtime came, till 12, otherwise you would have people coming right back into the public-houses again.

4883. Then it would require pretty strong additions to the police force in Cork to carry out your plan?—For a time; like all new measures require.

4884. As you have said, it would considerably benefit yourself; but that I am confident has been of no consideration in your mind?—I have said so.

4885. You have not, of course, worked out exactly the details of what you suggest, but you would want an increase in the police force?—I said that the police force should be increased if any new innovations are carried out.

4886. Any shortening of the hours do you mean?—No.

4887. Would not any repression of drinking require an increase of the police in Cork according to your view?—I think it would for a time, until the people get accustomed to it, in order to prevent them going back into any bad ways.

4888. All that would apply also to Sunday closing, that for a time they would require extra police?—Yes.

4889. Have you as a medical man, or as a citizen, given special study to this subject of Sunday closing of the public-houses?—From the appointments which I have held, and the position which I occupy, I speak just practically from what I know of it. All these things have come practically to my knowledge, and I speak from just my experience.

4890. Am I wrong in assuming that you have never had any experience of the Sunday closing of public-houses?—I am not for Sunday closing.

4891. May I ask you, have you, in order to qualify yourself for forming a really valuable opinion

Mr. Sullivan—continued.

opinion upon the Sunday closing of public-houses, given any special study to the subject?—I have never been where it was carried out, except some short time in Scotland, and that was not a very great experience, but experience enough to teach me that there was not the sobriety which I thought would be carried out by the Sunday closing of the public-houses. I thought on the contrary, from what I saw, that it was a deception of the grossest character.

4892. How long were you there?—I was there for a short time; about a month, I think.

4893. When?—Some years ago; I was there on two or three occasions; I was there when a student, and I was there afterwards.

4894. Is yours a Scotch diploma?—I have a Scotch diploma, but I am a fellow of the College of Surgeons of Ireland.

4895. A month's experience in Scotland you have had, and how long ago was it, may I ask?—I was there some few years ago for a fortnight; as only a casual observer this did not strike me so much.

4896. Would you attach very great weight or importance to the evidence of your fellow physicians of Scotland as to whether it had worked well or ill?—Of course I would bow to the opinion of a medical man if he were not biased who had lived all his life in Scotland, naturally as a Scotch doctor would be bound to give way to me if he was not in Ireland and he was not biased.

4897. Would you attach very great weight to the opinions of the police authorities as the administrators of the government of Sunday in Scotland?—I would; but how are the police to see into the inner rooms of a house in Scotland when there is drinking going on.

4898. But you would attach very great weight to their evidence?—I do not know; I do not think I would attach such very great weight to it; all they can give is the number of persons drunk, and they can give the number of glasses of whiskey sold on Saturday, but they have no power to go, unless there is a suspicion, into the houses of the poor; but I give weight to any person that could see the inner life of those persons.

4899. Then you attach no great weight to men like Sub-Inspector Barry and Mr. McLeod, and those magistrates?—Of course I do, so far as their statistics go.

4900. Are they mere statisticians?—Mr. McLeod sits on the bench in the morning; he does not see the persons till they are sober; he does not see the drunkards; he does not see anything about the city; I see more in the city in three days than Mr. McLeod sees in three months. But if I saw a person in Scotland who could see into the innermost homes as well as I see in Ireland, I would bow to him with deference on such a matter as this.

4901. Then do you think we would do much better not to be summoning any more resident magistrates and police sub-inspectors from other cities, and to take prison doctors?—Any person that can form practical ideas and could give anything from experience to this Committee, I think, would be most valuable; I am not saying a word about Mr. Barry or Mr. McLeod; I am only speaking for myself, that I have practical experience, and from that I am giving my evidence.

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4902. You have spoken disparagingly of the evidence which you say the police authorities and the magistrates of Scotland might give; you say that you would not attach so much value to it?—Pardon me; I would be very sorry to do any such thing as disparage any gentleman; I say that I would not attach so much importance to a sub-inspector or a magistrate with regard to drunkenness as I would to a person who can see the innermost parts of the houses of people who drink.

4903. But would you, as regards public order and morality?—Of course I would on statistical reports.

4904. Supposing that these police and magistrates, and the civil authorities of Scotland, considered that the Sunday Closing Bill was a great success as regards public order and morality, would not you attach very great weight to their evidence?—I believe it is of great weight, but then I believe it is a detriment to the people; you are destroying the people at the expense of some persons who do not like to see an isolated person in the town or an open public-house when going backward and forward to their place of worship.

4905. Who are the classes in Scotland who could best know whether the people were being destroyed or not?—I think the clergy would be very good judges upon that question.

4906. Supposing that the clergy of Scotland are nearly unanimous in favour of the Sunday closing of the public-houses, would not that be a tremendous fact?—It would if they gave you proper proofs that they knew about it.

4907. Supposing that they did?—If they gave you proper proofs, and showed you unmistakably that they had a thorough knowledge of and went into the innermost houses of the poor.

4908. Are they not a class that you say have this knowledge?—I say if they had then they would be of value. If they had the thorough knowledge of the innermost houses of the poor that the Roman Catholic clergy have in Ireland, then of course I must say if they take a particular interest in finding out the right or wrong of such a thing, I would give credit to their opinion.

4909. If the civil administration of that country, the police, the magistrates, the civil authorities, the physicians, and the clergy of Scotland, and its Members of Parliament, its town boards and corporations, depose, state, and testify whenever it comes in their way, that Sunday closing is a great benefit to Scotland, is not that a tremendous fact?—On what ground is it a benefit?

4910. To the morality, the social order, and the comfort of the people?—I agree with them on the social order in the streets; but how is a magistrate, or the police, or a board of guardians, or any or all of those people, to form any opinion? The only person that can form an opinion is the clergyman and the doctor; for they can go to the trouble of finding out the innermost social life of the Scotch.

4911. Have you any reason to suspect that your brother doctors in Scotland know less of the people or care less for them than you do in Cork?—There are doctors in Cork who could not give you a morsel of evidence about the morality of Cork, but there is no person in Scotland that has the same facilities of finding and knowing the

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morality of the lower class of society professionally as I have or I would say the magistrates, doctors, and board of guardians that you could bring from Scotland.

4912. Then you think that you really know more and can speak better than all the doctors and boards of guardians?—Yes, in Cork, and I say if you get another man from Glasgow that knows as much of, has as frequent intercourse with the people and knowledge of them as I have, I will just give as much credit to him or more than to any man you can bring.

4913. His evidence of actual observance would be a great deal better than your conjecture of what might happen in Cork?—I have no conjecture; I speak from what I see and know practically, and I draw an inference; and what can be stronger than an inference from good grounds.

4914. Is it not conjecture when you tell us what you think or apprehend would happen if the Sunday Closing Bill were law in Cork?—I draw an inference from what I think might follow, founded upon my experience.

4915. But would not an inference be of much less value as evidence than actual experience in medicine or anything?—Yes, partially.

4916. Is physiology or anything else, is not actual ascertained experience more valuable evidence than inference?—It is.

4917. You have told us that one of the reasons why you would not attach so much weight to the clergy in Scotland was, that you would like to know whether they knew so much of the homes of the people as the Roman Catholic clergy do in Ireland; did you ever hear of the Roman Catholic clergy of Tipperary being in favour of Sunday closing, and putting it in force?—I did.

4918. Do not you think that they know the homes of the people very well?—Very likely they do; I have no doubt that they do.

4919. Did you ever hear of their having had 15 years' experience of it, and that they would not part with it on any account?—I never heard of that.

4920. Did you ever hear that they are still strongly in favour of it?—I hear that it is in force.

4921. Did you ever hear that the Archbishop Leahy's latest intimation was strongly in favour of it?—No.

4922. Then you have not been studying this question very much?—I have not read that. I know that there are some clergymen in Ireland that are very strongly in favour of it.

4923. Did you ever hear of the Catholic clergy of Wexford and of their bishop?—Yes, I did.

4924. Do not they know the homes and habits of the people?—They do.

4925. Do you think that they are as much acquainted with the homes and habits of the people as you are with those of the people at Cork?—They have tried it in country places, but there is no trial yet or attempted trial made by the Catholic clergy in the city. All the people that are parishioners of those clergymen who have tried it belong to their own faith, and there is no person belonging to another faith in their dioceses who go to public-houses, because with very few exceptions they are nearly all Roman Catholics. But if it was such a great thing, why would not Archbishop Cullen try to enforce it in Dublin as

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the other bishops and other clergymen have done elsewhere?

4926. Has it occurred to you that if the Protestant publicans of Dublin kept open it would be no use for the Catholics to shut?—I suppose it is that they think that they will get double custom, but if the people were to follow Archbishop Cullen, and if he was to carry out the same law as the other bishops do, why would not he say, "I will close every Catholic public-house in Dublin, and I will tell all my flock not to go near them," is he not to carry it out?

4927. That is asking me a question, but I want to put it to you whether it has occurred to your mind that the authority of the Catholic bishop may be efficacious in a district where the publicans are nearly all amenable to his spiritual authority, but it could not be put in force in a mixed community?—It could not be put in force in a mixed community.

4928. But now understand why it is that those questions of mine have been put to you for the purpose of testing your evidence here; you told me of the physical deterioration and danger arising from illicit drinking if Sunday closing were put in force; have you any reason to believe that physical deterioration is setting in amongst the men of Tipperary?—Those people always drink porter in those country towns in Ireland, and but very little whiskey.

4929. Do they take it home on Saturday night?—No; I say they drink porter on week days, and at public-houses, even when they are open on Sunday.

4930. As a medical man you take in the medical journals, I presume?—Yes, I do.

4931. Have they ever discussed in the medical journal the physical deterioration of the people in Tipperary?—Tipperary was never thought of then. I was talking of physiological facts that we do not apply to any particular place, or to any person, but merely as a simple fact in physiology.

4932. Then, may we take it that those apprehensions of physical deterioration have not appeared in Tipperary?—It takes a long time for them to appear.

4933. How long?—That is according to how long the drink is taken; the habitual drunkard or the man who drinks very heavily debilitates himself and enervates himself, and of course the offspring of such persons are bad.

4934. Then, if there was as much drinking on Sundays in Cork as there is on any other day of the week, would there be a physical deterioration?—I would be very sorry to see that.

4935. But would there be?—It is according to the drink.

4936. If there was as much drinking in Cork on Sunday as during any other day of the week, would there be physical deterioration?—No, legitimate drinking would not, because it would only add one day more to the six days of ordinary drinking; but the thing which I want to call attention to is the pernicious stuff that persons will drink. I think whiskey drinking, carried to excess, would injure them, whereas porter or ale would not cause this bad and injurious effect.

4937. I am anxious to know why it is you think the race of human beings will physically deteriorate if the Sunday Closing Bill is passed; and



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and this is improving or not deteriorating under six days' hard drinking?—Because if the public-houses are closed on Sundays, they will have no porter or ale drinking, but will have whiskey drinking.

4938. Could not they get it on Saturday evening?—It would not keep, and bottled beer is very expensive drinking; you have to pay for the porter, and you have to pay for the bottle.

4939. Do they not, when you send back the bottles, allow for them?—Yes; but bottled beer is more expensive than draught. You get a pint of draught porter for 2d., whereas you only get half a pint for 2d. in a bottle.

4940. That, of course, would not apply to whiskey drinking on Sunday?—No; whiskey can be kept in a bottle from Saturday very well.

4941. Then what you tell me now only applies to those who drink porter on Sunday?—People that heretofore drank porter or ale would buy whiskey.

4942. What is it in whiskey that intoxicates?—It is the alcohol in it.

4943. Is there any harmless whiskey that would not intoxicate?—It is according to the amount. We have heard of persons being able to take 20 glasses of whiskey without it doing them any injury.

4944. You spoke about poisonous whiskey; is not that made from alcohol which is a poison?—It is a cumulative poison.

4945. And a strong poison?—Yes.

4946. Then in proportion as the whiskey is whiskey it is poison?—Yes. There are many things which when taken moderately are not poison, but which when taken to excess are. I have seen persons die from the effects of drinking whiskey.

4947. Would not the police be able to put down illicit drinking in Cork?—I should be very sorry to think that they would not, but of course there would be an extra amount of them required.

4948. Do you think the Saturday half-holiday a great curse to the working classes of Cork?—I do; and from conversations from time to time with members of the artisan class, masons and carpenters, they speak against it, now that they have sons whom they are bringing up to the trade, and who have nothing to do on the holidays.

4949. Is it against the half-holiday that they speak, or against the public-houses being open?—They speak against the time given to young men with money in their pockets.

4950. Do you mean to say that they do not like the holiday, that it injures them, or is it that the public-houses are open at the time; is not that what they object to?—It is idleness, and idleness is the mother of all mischief; they do not know what to do with themselves on Saturday; they are dirty from their work, and they do not go home and clean themselves, as they do on Sundays.

4951. Is that the general feeling amongst them?—I will not say that it is the general feeling.

4952. Is it a strong feeling amongst them?—It is a strong feeling amongst them that the Saturday half-holiday is not a good thing.

4953. Am I to take that answer as any reason why those people went into public-houses?—It induced them to go into public-houses.

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Mr. Sullivan—continued.

4954. Supposing that the public-houses were not there, would not the workmen then give to their families so rational an enjoyment as a half-holiday on Saturday?—They come from their work at one o'clock, and then they are dirty, and instead of cleaning themselves, they go out into the streets outside their houses, because their wives have something to make up for Sunday, and have to be cleaning and doing things in preparation for the Sunday.

Mr. Richard Smyth.

4955. You stated that you were aware of certain persons in Cork who have been favourable to Sunday closing, but who have changed their mind upon that subject, and are now hostile to this Bill; could you give the names of any of those gentlemen?—No; they are only private friends and persons that I have been talking to. I could not give their names.

Mr. Sullivan.

4956. Were they very prominent persons?—They were brother medical men and some gentlemen of position who thought that it was a very good thing some time ago to close public-houses, who had not given it so much thought at the time that this Committee first sat, but who now are in favour of the shortening of one or two hours on Sundays. That is a general belief of a large portion of the gentlemen of Cork, and I certainly agree with them.

Mr. Richard Smyth.

4957. Do not you think that if they had become convinced of the utility of this Bill they would come here to give evidence against it?—I think they would not take the trouble, but I think they would sign a petition against it if a petition was now got up in Cork. Gentlemen do not like to take the trouble of giving evidence. It is not their sphere, and they do not like to make themselves prominent.

4958. But you think that they would sign a petition?—I think they would.

4959. Why should they object to have their names given here, because their names on a petition would publish it to the whole House of Commons?—That is a very different thing indeed to have a person's name in the morning's paper in Cork.

4960. Certainly if they are against this Bill they must look upon it as a very serious interference with the rights of the people, and they ought to be prepared; do you not think, to do everything in their power to prevent it?—As I said, there was not so much notice taken of this Bill until this Committee sat.

4961. Will you give us the name of one gentleman that you think would be courageous enough to come out against it?—I would not take the liberty of mentioning any gentleman's name; I think that would not be fair; but I will give you the names when I go down to Cork, if you wish it.

4962. You were asked by the right honourable Chairman whether Sunday closing under an order from a bishop was not a very different thing from Sunday closing by Act of Parliament, as it affects the people; and I understood you to say, that you considered that there was a great difference between

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tween them; do you think so now?—One is persuasive, and the other is coercive.

4963. On whom is the persuasion brought to bear in the case of the bishop's order?—Through the clergy on the people.

4964. Is it the people or the publicans who you believe are persuaded by the bishop?—I believe if the publicans were defiant of the bishop, and said they would keep their houses open, the persuasive power of the bishop over the people would be so great that they would not go into them, and the publicans may as well close them.

4965. That is your opinion?—That is the feeling of the populace of Ireland. The Irish people have such a respect for their clergy that I am sure, if the publicans went in defiance of the bishop, the people would immediately turn against them.

4966. Are you aware that several Catholic bishops in Ireland, together with a vast number of the parish priests, have given to their parishioners and to the people in their dioceses that very recommendation?—No.

4967. And notwithstanding that they ask this Sunday Closing Bill to pass?—I am not aware of that.

4968. Would you be surprised to hear that such is the case, that the Catholic clergy have advised the people not to go into public-houses on Sunday; but notwithstanding this advice some people still go there, to such an extent that the clergy wish this Bill to pass?—Have the clergy in those particular dioceses told the publicans not to keep open on Sunday; or have they gone to the people first, and to the publicans afterwards, and have the publicans refused them, because a great deal depends upon that?

4969. Did you not make this statement in your evidence, that if the bishop or the clergy would advise the people not to go into public-houses, and the publicans kept their houses open, the people would not go in?—I think they would not.

4970. But, notwithstanding this, that very recommendation has been given; why, then, do you think that the bishops or clergy, who have given that recommendation to their people, should still wish an Act of Parliament to close the public-houses on Sunday?—Why do not those bishops who told this to the people tell the publicans to close?

4971. Did not you say that you believe that the publicans would get nobody to go into their houses?—I think so.

4972. What would be the use of an Act of Parliament, then, for those places?—It is very strange to me to think that the bishops would go to the people and ask them not to go into the public-houses, instead of first going to the publicans and telling them to close. They must have filed past the publicans and have gone to the people in those places that you speak of.

4973. Did not we understand you to say that if the publicans did, under those circumstances, keep the public-houses open, they would get no customers?—Very likely you may get some who would have liked not to be deprived of their power to keep public-houses open on the Sunday.

4974. What would be the good of an Act of Parliament in those places?—Not much, indeed.

Mr. Murphy.

4975. With regard to the evidence which you have given to the Committee, you stated that you met with some gentlemen who, prior to this investigation, were in favour of Sunday closing, but that since the evidence has come out on this investigation their opinion has changed; will you allow me to ask you whether the opinion of those gentlemen prior to the sitting of this Committee was formed under the idea that there was such an amount of drunkenness on Sundays as called for a legislative enactment to repress it?—Solely on the ground of trying to do away with drunkenness.

4976. Did they conceive that there was such an amount of drunkenness on Sunday that they thought it a matter of necessity to ask Parliament to pass a restrictive Act?—Yes.

4977. Following up that question, can you form an opinion why it is that those gentlemen have changed their previous opinion: was it, or was it not, in consequence of their now beginning to believe that there was not such an amount of drunkenness as had heretofore prevailed in their opinion?—Reading the reports of this Committee has been one reason.

Mr. Sullivan.

4978. Would you think it right that the clubs should be left open on Sunday; if this Bill passed, and the public-houses were closed, do you think that the clubs should also be closed?—I think that neither should be closed.

4979. But suppose this Bill passed, would you think that the clubs also should be closed?—No, I do not think they should.

4980. Then you would have one law for the rich and another for the poor?—That is taking an answer out of me which I am not prepared to give. My opinion is that neither should be closed, that there should be legitimate allowances in both.

4981. I want to know, if the Bill passed, is it your opinion that the clubs also should be closed?—I do not think they should.

4982. Why?—Simply because I do not see that there is any great grievance in the clubs.

4983. Why should a rich man have that which a poor man cannot, supposing the Bill to pass?—I do not believe that there should be a difference, because I do not believe that this Bill should pass.

4984. But supposing the Bill passed, what would you say?—It is a very difficult question to answer.

4985. Supposing that this Committee arrived at a conclusion in favour of the Bill, would you suggest to us also a recommendation to the House that the clubs should share the fate of the public-houses?—That is compromising my opinion.

4986. What is your opinion?—I do not think they should.

4987. Then you would be for leaving the privileges of the rich men at the club, would you?—No, I would not, because I say that the poor should be treated equally, and not be closed against.

4988. Would you have the public-houses allowed to be open by law at present every hour that the clubs are open by law at present?—No; I think that a club should be restricted on Sunday to certain hours.

4989. According to law, at present a club may

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be open all night; is not that so?—That is according to the rules of the club.

4990. But according to law it can?—Yes.

4991. Would you extend that law to public-houses?—Decidedly I would not.

4992. Then you would keep one law for the rich man's club and another for the poor man's public-house?—I do not agree to that.

Mr. Murphy.

4993. I suppose you conceive that if all other things were alike your answer would be yes?—Yes.

Mr. Richard Smyth.

4994. You can go to your own club without drinking at all, can you not?—Yes.

4995. And you do not drink always when you go to your club?—Decidedly not.

4996. A man goes to a public-house for the

Mr. Richard Smyth—continued.

purpose of drinking, does he not?—There are a great many persons who go to the public-houses to meet their fellow-workmen on Sunday afternoon, and have a chat and smoke, and sit down, and they might not take drink at all.

4997. They would not be very welcome, I suppose, if they did not drink?—No.

Mr. Sullivan.

4998. Was there not a public meeting held at the Courthouse in Cork against Sunday closing?—There was.

4999. Did you read the speeches?—I did.

5000. Did you see in many speeches great denunciations of one law for the rich and another for the poor?—That is always the cry.

5001. And those are the men who said that they belonged to clubs, most of them?—One was Mr. Daly, I think.

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MEMBERS PRESENT:

Sir Michael Hicks Beach.  
Mr. Maurice Brooks.  
Mr. Bruen.  
Dr. Cameron.  
Colonel Cole.  
Marquis of Hamilton.  
Mr. Ion Hamilton.

Mr. William Johnston.  
Mr. Law.  
Mr. Charles Lewis.  
Mr. Murphy.  
Mr. O'Shaughnessy.  
Mr. Richard Smyth.  
Mr. Sullivan.

THE RIGHT HONOURABLE SIR MICHAEL HICKS BEACH, BART, IN THE CHAIR.

Mr. Alderman CLEARY, called in; and Examined.

Mr. Richard Smyth.

Mr.  
Alderman  
Cleary.

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5002. YOU are an Alderman of the city of Limerick?—Yes.

5003. Have you ever held the office of mayor of that city?—I have held that office for three years in succession, 1872, 1873, and 1874.

5004. Are you in any business in the city of Limerick?—I hold the principal hotel in Limerick.

5005. What is the name of that hotel?—

"Cruise's Royal Hotel."

5006. Have you had any means of knowing the prevailing opinion of the people of your city on the subject of Sunday closing?—I know a great deal of the feelings of the middle and lower classes in that respect, and I think that the majority of the lower classes would be in favour of Sunday closing.

5007. What has led you to form that opinion?—During my mayoralty I mixed a good deal amongst them, and, from frequent conversations I had with them and meetings, I put one opinion against the other, and I think the majority are in favour of it.

5008. What is the sentiment of the clergy of the various denominations in Limerick?—Both the Roman Catholic and the Protestant bishops are in favour of it. The Roman Catholic clergy, generally, would be very much in favour of it. I am sure, particularly the Redemptorists, who have a very large society in Limerick called a confraternity, which is composed principally of the lower and middle classes; it is a religious society, and there are about 3,500 members in it. The greatest difficulty they have to contend with sometimes is in wearing those people from going into public-houses.

5009. Have you ever presided at any public meetings on the question?—Yes, I did once or twice in the Town Hall of Limerick.

5010. Could you describe the character of those meetings, as to the classes of people, the numbers, and the resolutions passed?—There were not many of the lower classes present, but the principal classes were respectable people who came to attend the meeting, such as the Roman Catholic clergymen and the Protestant clergymen, and a number of the better classes of Limerick attended, and resolutions were passed by the majority in favour of Sunday closing.

5011. Were any amendments proposed to those resolutions?—No.

5012. Do you think that there were many members of those confraternities that you speak of at the meetings?—No, I do not think there were, because the Catholics are composed mostly of the lower orders.

5013. Were the meetings held in the evening or during the day?—In the day at one time and in the evening at another; there was a meeting at the Athenaeum in Limerick in the evening; and the meeting in the day time was in the town hall.

5014. Was there any difference in the aspect of the meetings held in the evening from those held in the day time?—Both the meetings were about the most orderly meetings I ever saw in Limerick, particularly the evening one; they paid the greatest attention to the speakers and seemed to endorse their opinions.

5015. Were the working classes represented at the evening meeting?—Very largely.

5016. Did you preside at any open air meeting in Limerick?—I did, at a place called the Treaty Stone in Limerick.

5017. Were there any trades societies represented there?—There were a large number; I should think that there were about from 3,000 to 4,000 people there.

5018. Were there bands at the meeting?—There were several bands.

5019. To what societies did those bands belong?—To the different societies; the trade's band and also the temperance band was there.

5020. Was there any disturbance at the meeting?—Not the slightest.

5021. Were resolutions passed?—Yes, there were.

5022. What for?—In favour of the temperance principle; the meeting was a temperance meeting.

5023. Had it special reference to the Sunday Closing Bill?—No.

5024. Was the meeting unanimous?—It was.

5025. Have any meetings been held in Limerick hostile to the Sunday Closing Act?—No, not that I know of.

5026. You have never heard of any?—No.

5027. What is the opinion, as a whole, of the Corporation of Limerick upon the subject?—There

Mr. Richard Smyth—continued.

There are a large number of the corporation who hold public-houses themselves in Limerick, and, of course, they would not be in favour of it.

5028. What about the others?—The others are very mixed in Limerick. It would be very hard to know what are their opinions; but I think that the better classes of them would rather that it should be carried out.

Mr. O'Shea's place.

5029. Are you referring now to the better classes of the corporation?—The better classes of the people in Limerick.

Mr. Richard Smyth.

5030. I asked you about the members of the Corporation of Limerick; could you tell me how it is with regard to them?—I think the principal portion would be in favour of Sunday closing, so far as I can learn.

5031. You say that there are several members of the Corporation of Limerick in the liquor trade, and I think you are yourself?—I am in the liquor trade, that is to say, I have a license to sell liquor.

5032. And yet you yourself are strongly in favour of this measure?—From the scenes that I have seen from time to time in Limerick, I would be very glad to see it carried out. I have seen some very bad scenes on Sunday in Limerick, particularly in the Irish Town and the lower portions of the city.

5033. You are convinced that drinking is carried to such an extent in Limerick that it would be desirable to repress it as far as possible?—I am quite satisfied that it would.

5034. Do you think that the operation of a Sunday Closing Act in Limerick would create dissatisfaction among all classes of the people?—I do not think so.

5035. Are you a member of the Board of Guardians?—Yes.

5036. What is the opinion of the Board of Guardians of Limerick upon the subject?—The Board of Guardians are principally composed of country members; there are only 12 or 14 representing the city.

5037. What is their opinion?—I think, so far as I can learn, and I have canvassed several of them with regard to it, several gave me their opinion favourable to Sunday closing.

5038. Did you ever make any effort to get the publicans of Limerick to close their houses on Sunday?—In the year 1873 I did; I took a very active part in going round to the publicans to ask them to close on Sunday.

5039. Were you successful?—No.

5040. In no instance?—Yes, in several I was. There are nearly 300 publicans in Limerick, and out of that 300 I suppose I would not get more than 50 in favour of Sunday closing, because there are a great number of people who keep low public-houses in Limerick.

5041. Did they close?—No, not when the others would not.

5042. They only agreed to it conditionally?—Yes, if the others would close.

5043. You have observed, of course, the state of the city on Sundays for many years past?—Yes.

5044. Could you describe what is the condition of the city on Sundays?—The city is very peaceable on the whole. We have very few what

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Mr. Richard Smyth—continued.

we might call riots there; it is a very peaceable city on the whole except when the public-houses are closed at 9 o'clock at night; there are generally rows in the street then; immediately after they are turned out the people get quarrelsome with each other. The row originates in the public-house, and then they come outside and give the police a great deal of trouble sometimes on Sunday evenings.

5045. What is the condition of the people who engage in those rows at night?—They are all the lower classes, generally the poorer classes.

5046. Are they sober?—No, they are very nearly always drunk when they come out of the public-houses. They go in at an early hour in the evening and they do not leave till the public-house is closed.

5047. Is there more drinking on Sunday afternoons in Limerick than there is in the afternoon or evenings of other days of the week?—Except on Saturday evening; there is a great lot drunk on Saturday evening on account of their getting their wages on that day.

5048. What do they do in the interval between 11 o'clock on Saturday evening and 2 o'clock on Sunday afternoon; do they give up drinking in that interval?—They try to get it in the mornings, and if they can get it they will have it.

5049. Where do they try to get it?—At the lower classes of public-houses they sometimes get it; the police do keep a very strict watch in Limerick over the public-houses, but still they evade them sometimes; it is very hard to watch them, because the public-houses of Limerick are very much divided, some of them are a mile and a half or two miles between.

5050. Do you think that the closing of public-houses on Sundays would have any effect on the sobriety of the city on Monday or Tuesday?—I think it would have the greatest effect, because, in many instances, we have a very great difficulty in getting the men to go to work, particularly merchants. There are a great number of men who will not go to work on Mondays.

5051. Why do you think so?—I think they are not in a fit state to work after the Sunday evening's drinking; I have seen several instances of it amongst my own men; they sometimes will get out on Sunday evenings, and I cannot get any good of them till Tuesday, perhaps.

5052. And that is more the case on Monday mornings than on the mornings of other days of the week?—Very much more.

5053. Supposing that this Sunday closing law were to take effect in Limerick, do you think that the people would become riotous, in order to get drunk on Sunday?—I do not think anything of the kind; I think a great number of them would be very glad of it.

5054. You have referred to the illicit sale of drink in the public-houses; do you think that the illicit sale takes place only in public-houses during prohibited hours, or is it in houses that are not licensed at all?—There are very few what we call shabby houses in Limerick; the police are very vigilant in Limerick with regard to public-houses.

5055. The police, you think, do their duty well?—They do their work well, indeed better than in any place I know.

5056. Have you anything further to say about the Sunday Closing Bill with regard to Limerick?—No, nothing particularly.

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Mr. Richard Smyth—continued.

5037. But you are strongly in favour of its application to your city?—I think it would have a very beneficial result upon the city upon the whole.

5038. You think that that is the prevailing opinion of all classes?—There is no doubt of that.

Mr. O'Shaughnessy.

5039. There are some shabby houses in Limerick, are there not?—They must be very few; I do not know a single instance of one myself.

5040. But you believe, although you have not actual knowledge of your own, that there are some where, of course, occasionally, liquor is sold in an illicit manner?—It is a very odd one if there is.

5041. Do not you think that if there were still greater restrictions placed, supposing you had no Sunday Closing Act at all, there would be a greater likelihood of the springing up of those places; and there would be a great want on the part of the people of places to get liquor?—They may be, of course.

5042. There would be a greater temptation then to set up shabbeas?—There might be.

5043. There is also, you say, some illicit sale takes place during the closed hours on Sunday?—Yes, it is very hard to detect them.

5044. Do not you think that there would be a still greater temptation to the illicit sale, and a still greater difficulty of detection if you had the public-houses closed all the day on Sunday?—No doubt there would be.

5045. The police do their duty very well in Limerick, do they not?—Yes, there is no city in Ireland where they do it better.

5046. Of course their difficulties would be greater, would they not, under total Sunday closing?—I think if there were a few more detectives in Limerick, and they were to go round on Sunday mornings, there would not be so much illicit drinking as there is even now, but I do not think that there is a sufficient number of police in Limerick to do that now.

5047. Considering the extremely strong feelings of the populace in Limerick, do not you think that setting the desirability of temperance aside, it would be an undesirable thing to extend the system of detection, and do not you think that the extension of that system would be calculated, to a great extent, to create an animus against them on the part of the people?—I do not think so.

5048. The people and the police get on very well now, do they not?—Very well.

5049. And you do not think that the organisation of a detective force would be calculated to exasperate the people against them?—Not the slightest.

5050. What are the amusements which are open to the poorer classes in Limerick on Sunday?—There is no particular amusement. There is a public library there for them but they do not make use of it.

5051. But are there not a great number of the lower classes in Limerick that cannot read and write, as there are in other cities?—A great number.

5052. And to whom a public library would be of no special use?—Precisely so.

5053. Are they in the habit of taking walks in the country, or going on excursions anywhere?

Mr. O'Shaughnessy—continued.

—A great number of them do go for walks, but a great number more do not go at all on Sunday; they remain in their houses: they are tired after their week's work.

5074. As to those who remain in their houses and do not go out at all, there is not such a very great necessity, is there, for Sunday closing?—No, there is not.

5075. And a great number do this?—A great number.

5076. As to the state of the city on Sunday, I think you said it was very peaceful?—Very peaceful.

5077. But here and there on a Sunday night, in the older parts of the town, you, of course, see rows, when people are coming out of public-houses?—Yes, and very bad rows.

5078. Have you at all contrasted the state of the city on Saturday night a little later, at 10 o'clock, when the people come out of the public-houses, with their state on Sunday at that hour? I see very little difference; I have visited them several times on both nights.

5079. In fact, those two nights are about equal in their effects on the sobriety of the people?—They are.

5080. I suppose, if a man begins to drink on Saturday night, and gets into a state of drunkenness, and knows that he has Sunday as a leisure day, he is under a much greater temptation on Sunday than he was on Saturday?—He is, certainly; but if the public-houses were closed a little earlier on Saturday evening it would do away with a great deal of that.

5081. If the public-houses were closed a little earlier on Saturday it would do away with the temptation to drink on Sunday?—It would.

5082. With your experience as mayor for three years, supposing that you had to choose between total closing on Sunday and partial closing on Sunday, just leaving the people enough time to allow themselves proper refreshment, and so on, after a walk, or supposing you had the choice between partial closing on Saturday night and partial closing on Sunday and total closing on Sunday, which would you prefer?—I would prefer Sunday closing, for the simple reason that the people have nothing to do on Sundays, and so they make use of those public-houses; it is a temptation for them on Sundays to go into them.

5083. Although you think that the drinking on Saturday causes the temptation to drink on Sunday?—There is no doubt of it; they get sick on Sunday morning after the Saturday night's drinking.

5084. With regard to restricted closing on Sunday, how many hours do you open at present on Sunday in Limerick?—Seven hours, from two o'clock till nine o'clock.

5085. Would there not be a greater tendency to go into the public-houses when the sun is set, and when out-door amusements are less possible, than in the earlier part of the day?—Indeed, they go into them at any time; if two of them meet in the street they cannot speak a word without going into a public-house.

5086. Do not you think that the public-houses are fuller about eight or nine o'clock in the evening than they are in the day time?—They are.

5087. Therefore, there is a greater tendency to go into the public-houses at night time, when the

Mr. O'Shaughnessy—continued.

the sun is set and out-door amusements are impossible, than in the day time?—Yes, a good many do not like to be seen going into public-houses in the day time.

5088. Do not you think that to reduce the number of hours, and to close the public-houses about the time when night comes on, and to leave them open for a few hours in the day time, would have a considerable effect? I do not say in entirely getting rid of drunkenness, but in diminishing drunkenness?—I think Sunday opening would be injurious, because if people go in from 2 to 4 o'clock on Sundays, it is very hard for the police to tell when they go out.

5089. Your objection, then, to leaving them open for two or three hours on Sundays is, that it would be very hard work for the police to see that they went out, and see that the places were closed?—It would.

5090. Would it be more difficult for the police to see that they went out, and to see that the houses were closed in broad daylight, than at 9 o'clock in the evening?—I think the difference would be very little, because there are a great many hiding-places in these public-houses that the people could retire to, and the shop would be cleared.

5091. It would be easier for the police to see them and turn them out at an earlier hour in the day than in the evening?—They have not much trouble in turning them out, because they generally go to some place else.

5092. Then they would not have any very great trouble, would they, in turning them out at 3 or 4 o'clock in the afternoon?—They generally turn themselves out before the hour comes round, and they retire to some other place in the house.

5093. But that is not turning themselves out?—No, it is turning themselves in.

5094. And therefore the police have a difficulty in clearing the house at 9 o'clock on Sunday evenings?—They have.

5095. Do not you think that that difficulty would be lessened if they could turn them out at an earlier hour in the day?—I do not think so; I think they would have a better opportunity of getting out of the way in the day time.

5096. Do not you think that the police would have a better opportunity of following them and seeing them?—No, it would be impossible for the police to watch that every public-house is closed.

5097. Would not it be easier to do that in the day time, with the aid of the sunlight, than at night, when the people and the public-houses are favoured by the darkness?—It would; but if they are open at all on Sundays, and they once begin drinking, it is very hard to get them off it.

5098. Did I not understand you to say that the better classes in Limerick, both Protestant and Catholic, are strongly in favour of Sunday closing?—So far as I know, they are.

5099. And you have attended public meetings at which there were both Roman Catholic clergymen and Protestant clergymen?—I have.

5100. Have you any idea of how many Roman Catholic clergymen there are in the city of Limerick?—About 50.

5101. And about 20 Protestant clergymen would you say?—More than that; there are about 24 or 25 Protestant clergymen.

5102. Have you any recollection roughly of

Mr. O'Shaughnessy—continued.

the relative numbers of the Protestant and Roman Catholic clergymen at those meetings?—I think the Protestant clergymen were in the majority at the meetings. The Roman Catholic clergymen not attending them was on account of their attending to other duties, and therefore it would be very hard for them to attend in such large numbers.

5103. What were the issues raised at those meetings; had they anything to do with Sunday closing?—There was nothing at all about Sunday closing at the open-air meeting, but at the other meeting the resolutions were all in favour of total Sunday closing.

5104. There was no issue raised as to partial Sunday closing?—No, except casual conversation, but it ended in nothing; there was no amendment to the resolution.

5105. But the programme was total Sunday closing, rather than leaving things as they are now?—Yes.

5106. Do you think that if there were those three issues placed before the great body of the people of Limerick, total Sunday closing, partial Sunday closing, and leaving the law as at present, do you think that there would have been such a very strongly pronounced opinion as there is now in favour of total Sunday closing; do not you think that many would go in favour of restriction?—I have no doubt that some of them, probably the great majority of the people, would be glad of a couple of hours on Sunday. It is principally for getting what we call draught drink, porter and ale.

5107. Then getting draught porter or ale is a habit of some of the people of Limerick?—The respectable tradesmen of Limerick all do it.

5108. And the use of whisky amongst respectable tradesmen therefore has, to some extent, fallen off in favour of porter and ale?—No, I do not think so; they take porter and ale for dinner, and they use whisky at other times; it is principally whisky that they drink, except at meal times.

5109. You remember the meeting at the Treaty Stone. I believe that was a most successful and unanimous meeting?—It was very quiet and peaceable.

5110. Did not the parish priest, Father Conway, take part in it, and his curates also?—Yes.

5111. That was purely a general temperance meeting, and the issue of Sunday closing was not raised there?—No, some of the gentlemen spoke at that meeting in favour of Sunday closing, but the people did not seem to take much notice of it; they were more for temperance, and a large number of them took the pledge at the same meeting.

5112. You saw the unanimity of that meeting?—I did.

5113. Will you call to your mind a meeting which took place at the theatre on the subject of Sunday closing; do you remember a meeting which took place during the mayoralty of Mr. Ambrose Hall on the subject of Sunday closing?—I did not attend that meeting, but I heard of it.

5114. You were not there, and you do not know the details; but you know, at any rate, that it was very far from being a unanimous meeting?—I could not say; I did not inquire much about it.

5115. Just tax your recollection for a minute; was there great unanimity in favour of Sunday closing?—I did not take any interest in it.

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Mr. O'Shaughnessy—continued.

5115. Do you know the name, John Godsell, president of the trades?—Yes, I do; he is a publican himself, and he is president of the trades.

5117. Do you know Thomas Dooley?—Yes, he is the treasurer.

5118. What trade does he follow?—He is a plasterer.

5119. In addition to being a publican, Mr. Godsell is president of the trades?—Yes.

5120. Are you aware that a meeting of the trades was held at the Mechanics' Institute last month, and that they gave their opinion on the total closing of public-houses in Ireland on Sunday was opposed to their views; did you ever hear of that meeting?—I did; I heard something about it.

5121. You are aware that a large meeting took place?—Yes.

5122. Godsell is a man who has had the confidence of the trade for some time, has he not?—Yes, he has been two or three years president now.

5123. Do they elect the president every year?—Yes.

5124. Being a publican, that may, in the opinion of some people, take from the credit he given to his evidence?—He is a baker as well.

5125. I suppose baking is his original and his principal trade?—Yes, he follows that trade altogether, and his wife minds the public-house.

5126. This man has been president of the trades, has he not, for two or three years?—Yes, he has.

5127. Supposing he were sent here to give evidence upon the subject of Sunday closing, not as the deputy of the bakers' trade, but as president of the trades of Limerick, I ask you whether it would take away much from the weight of his evidence as to the opinion of the body of the trades, that is to say, of his brother tradesmen upon the subject of Sunday closing, because his wife happens to carry on the trade of publican?—Not at all.

5128. As regards Dooley, Dooley at any rate being a plasterer, he would not be tinged in your mind upon that ground?—I do not allow that Godsell's trade ever tinged my mind; he is a highly respectable man.

5129. You would attach considerable weight to his evidence as president of the trades?—He is a very intelligent man.

5130. The meetings that you refer to, except the temperance meeting at the Treaty Stone, were principally composed, were they not, of the upper and middle classes?—Yes.

5131. Did it ever strike you that the lower classes in places like Limerick, and particularly in Limerick, do not believe in anything being done here in Parliament, and that they regard all this talk about Acts of Parliament being passed except Acts of a certain kind, to regulate this matter, and to regulate that matter, as about things that have really no practical likelihood of being brought into existence?—Lastly, I think they have been very much enlightened in Parliamentary affairs, and they seem to take a greater interest in them.

5132. But they are only beginning to be enlightened?—That is all. Before now they have not taken much interest in it; before this year or two back; since this business of Home Rule has got up they are much more enlightened, and

Mr. O'Shaughnessy—continued.

they take a little more interest in it and pay more attention to the working of it.

5133. We will take, for instance, things like tenant right and University Bills and all that kind of thing; they find it very hard to realise that any legislation will take place on these subjects, do they not, and they look upon the speeches and meetings and discussions that take place on it as being likely to lead to nothing; is not that so amongst the lower classes?—As far as I know, they have a great deal more confidence in the present Government than in any former one.

5134. Do you mean generally?—As far as getting those Bills goes.

5135. But it is only a growing confidence which is just beginning to grow?—I do not know that.

5136. But they do not believe in the immediate realisation of their views?—A great many of them do not, but the better class of them have a great deal more confidence in the present Government.

5137. Do not you think a great many of them regard the agitators for a variety of things as to a very great extent hopeless?—From the frequent conversations that I have had with them I would not be inclined to think so.

5138. I am now talking of things like tenant right and University education; do not you think that the same feeling has actuated them with regard to this Sunday closing; that they look upon it as a thing merely the subject of agitation, and not likely to be carried into effect; and until the last four or five years, and even in this present year, as matters simply of discussion, but like tenant right and University measures not likely to be carried?—I would not say so.

5139. Do you think that the great body of the people in Limerick have for the last three or four years regarded this Sunday closing measure as one likely to be carried?—They have taken a very great interest in it since those public meetings have been held.

5140. Why do not the working classes attend the public meetings on the subject of Sunday closing; if they take that interest in it why do they not attend the meetings?—They do not care to trust to listen to a lot of gentlemen speaking upon such a subject; it is not sufficiently strong for them; they would rather hear Home Rule speeches.

5141. How then have they shown this great interest in the matter, if they will not go and attend public meetings?—There have been a great many of them pulled up from time to time by the Redeptorists in Limerick for frequenting those public-houses and that puts them on their guard.

5142. The action of the Redeptorists makes individuals far more sober?—It does.

5143. And that has done a great deal to put down public-house drinking?—In Limerick it has.

5144. Notwithstanding that, the action of the Redeptorists has not succeeded in creating any great interest in favour of this legislation?—I think that the action that they have taken on the subject has had the desired effect.

5145. It has made them sober, has it not, to a degree to which they could not have hoped for eight or ten years ago?—No doubt.

5146. But, notwithstanding their good influence upon the poorer inhabitants, it does not appear





Mr.  
Alderman  
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Chairman—continued.

5171. The action of the constabulary in the matter in Limerick is beset with special difficulties, is it not?—Yes; is it particularly so at night-time.

5172. I think the town council adhere very strongly to their night watchmen, do they not?—Yes, there are a great many of them that are beset by their dealings with them, such as grocers, and publicans, and so on, and they would not be anxious to have the night watchmen done away with.

Mr. Murphy.

5173. I think you said that there is more business done by the publicans on Sundays than on any other day of the week?—There are some publicans in Limerick who do not do anything at all, comparatively speaking, on week days, but on Sundays there is a very large trade in the bumbler parts of the town.

5174. Is it your opinion that those classes who frequent public-houses, such as working men and artisans, as a whole consume more liquor on Sunday than on any other day in the week?—They do, because they have more time to go to those houses.

5175. That being the case, are you prepared to say whether there is more drunkenness on Sundays than on any other day of the week?—Except on Saturday night, there is more drunkenness than on any other day perhaps, but I think, of the two, there is more on Saturday night than on Sunday.

5176. Except Saturday night, there is more drunkenness on Sunday than any other day in the week?—No doubt of it.

5177. How do you arrive at that conclusion?—From the number of people that I have seen drunk myself.

Mr. NEPTUNE B. GALLWEY, called in; and Examined.

Chairman.

5185. I BELIEVE you are County Inspector of Limerick, are you not?—Yes.

5186. And stationed in Limerick?—Yes.

5187. How long have you held that position?—Eight years.

5188. I want to direct your attention entirely to the county of the city of Limerick. What are the area and the population?—The area is three-and-a-quarter square miles or 2,074 acres, and the population at the last census was 39,353.

5189. That is the population I presume within the municipal area?—Yes, inhabiting 5,518 houses.

5190. What is the force of constabulary within that area?—One officer and 82 men.

5191. How many houses licensed for the sale of liquor are included in that area?—There are 219 with seven-day licenses, 65 with six-day licenses, and 13 early-closing licenses, the total number of public-houses being 297.

5192. I think you have no spirit grocers, beer retailers, or wine refreshment houses, have you, in Limerick?—No.

5193. How many wholesale beer dealers?—Twelve.

5194. Has the proportion of houses holding six-day licenses increased of late years?—It has.

Mr. Murphy—continued.

5178. That is the result of your general personal observation?—Yes.

5179. Supposing it was shown to you by official statistics that there were less people taken up for drunkenness on Sunday than any other day in the week, what would you say to that?—A great many of the people that get drunk are not taken up.

5180. How do you arrive at any conclusion that an impartial person would judge by; would it be by mere general observation, or by entering statistics, that would show the difference between those who were taken up on one day and those who were taken up on another?—I think, as far as that goes, in the case of a great number of those who get drunk on Sundays, their friends take care and look after them, because they have plenty of time to get them out of the way of the police, which they do not on week days; that is my opinion.

5181. Can you produce any statistics to justify you in saying that?—No.

5182. Have you any idea what proportion the people who use public-houses (I do not say who get drunk, but who use public-houses) bear to the general working class population?—I dare say four-fifths.

Mr. Low.

5183. Does your estimate of the extent of Sunday drinking depend at all upon the number of workpeople who do not return to their work on Monday morning?—I go principally upon the fact that a number of workpeople do not return to their work on Monday morning.

5184. And you conclude that they drank to excess on Sunday?—Yes, the class that drink a deal in those lower public-houses, unfortunately, are not able to get to work after it; it sets them out of the mind for it.

Chairman—continued.

5185. Can you tell us to what extent?—I do not think I could exactly tell to what extent, but it has increased I know.

5186. To what cause do you attribute that increase?—To the cheaper license.

5187. Has there been any action on the part of the licensing authorities in that direction?—Not that I know of.

5188. What are the class of houses, generally speaking, that hold six-day licenses; are they rather a better class than the ordinary public-house?—No, rather a lower class I should say.

5189. What were the total number of arrests for drunkenness within the area in 1875?—In 1875 there were 3,235 proceeded against for drunkenness, and of those 2,955 were males and 307 females.

5200. How many were there in 1876?—In 1876 there were 3,262.

5201-2. Out of those 3,262 how many were arrested on Sundays?—On Sundays 279.

5203. How many were arrested on Saturdays?—Six hundred and seventy-one.

5204. And on Thursdays how many?—Four hundred and fifty-six.

5205. Can you give us the number of arrests on the other days in the week?—I have not got the statistics of that.

5206. Yes

Mr.  
Gallwey.

Chairman—continued.

5205. You have told us that 279 were arrested on Sundays. Do you think that that is a less number than were arrested on any other day in the week?—Yes, I do not think that the number of arrests on Sundays are as much as on other evenings; what the last witness, Mr. Alderman Cleary, alluded to during his majority as to his having a greater number of parties proceeded against on Monday mornings, included Saturday as well as Sunday.

5207. And that naturally would lead the magistrates presiding in the court to suppose that they had a special number of cases before them occurring on Sunday?—Yes, exactly so. There are no magisterial prosecutions on Sunday, therefore the cases of Saturday and Sunday are taken together.

5208. Do you think that drunkenness has been on the increase in Limerick?—I would not say so. I think that Limerick is wonderful for the little drunkenness that there is in it. I made a calculation, and I found that there is one arrest to every 4,100 of the population every day.

5209. Do you think that Sunday drinking has increased or not?—I do not think that it has.

5210. Do you think that it has decreased?—I think it is pretty much the same. Taking the statistics of a great many years, you will find that they are pretty much the same all the year round.

5211. Can you give us the Sunday statistics for some years past?—Yes, I can give them from 1869 to 1876. In 1869 there were 299 proceeded against for being drunk and disorderly on Sunday; in 1870 there were 322; in 1871, 290; in 1872, 267; in 1873, 281; in 1874, 315; in 1875, 307, and in 1876, 279; so that they do not vary very much in any one year, and that shows that the same class of people are drinking the whole time.

5212. You do not trace any difference, do you, caused by the shortening of the hours of opening on Sundays in the year 1872?—No.

5213. Is there much illicit sale of liquor in Limerick, first in houses not holding licenses at all, or shebeens?—There are only six of such houses in Limerick that we know of. The difficulty that we have to contend with in those cases is the fact that the police have their eyes on those houses, and they slip in without a warrant, which they can do. If they find the parties drinking, or apparently having been drinking, and they are summoned, and the owners of the houses are also summoned for selling, they are witnesses for each other, and they can each swear themselves out of it.

5214. You mean that they swear that there was no sale?—The parties who were drinking are capable of being witnesses for the people who hold the house, and the people who hold the house are capable of being witnesses for the parties who were drinking.

5215. So that you find it very difficult to secure a conviction?—Yes, in that way we do. We have had a great many convictions, but it is very difficult in some cases.

5216. Have you any suggestion to make for an alteration of the law in that matter?—I would suggest that they were not allowed to be witnesses for each other. If I have a man summoned for having a shebeen house he can swear himself out of it, and his wife too, by being evidence for the parties who were found drinking, and the

Chairman—continued.

parties who were found drinking can swear them out of it, as they can be evidence for them.

5217. You mean that you would not allow the keeper of the house to give evidence in the case of a party found drinking in it, nor the party found drinking in it to give evidence in the case of the keeper of the house?—Clearly I would not; it is a temptation to perjury.

5218. You would preclude any evidence except the evidence of the police?—Yes.

5219. Do you find any difficulty from the state of the law, which has been referred to by one of the witnesses here, as to the necessity for proving a sale?—No; I can mention the number of convictions for shebeens in 1869; in that year there was only one.

5220. Do you mean that there was only one for illicit sale of liquor in unlicensed houses on Sunday?—Yes; in 1870 there were three; in 1871, one; in 1872, none; in 1873, two; in 1874, three; in 1875, two, and in 1876, one.

5221. How many convictions did you get for the sale of liquor in licensed houses during prohibited hours on Sundays?—In 1869, we had eight; in 1870, 11; in 1871, nine; in 1872, 13; in 1873, seven; in 1874, six; in 1875, 12, and in 1876, 16.

5222. Can you tell me whether those convictions were entirely for sale before two in the afternoon, or after nine?—Before two; early in the morning.

5223. In those cases, I suppose, the people had been drinking on Saturday night?—Yes.

5224. And they stopped there?—No, not stopped there; they got in at the back door.

5225. What means do you take for detecting evasions of the law in both those cases; do you employ members of the police in plain clothes?—Yes.

5226. How many men do you so employ?—It varies; I have four or five of them.

5227. Do you think that any greater power of entry with regard to the shebeens is required by the police than the law at present allows them?—No.

5228. You are satisfied with the present power?—Yes, as to the power of entry, we can always go in; but we cannot seize unless we have a warrant.

5229. Supposing you go in and cannot prove your case afterwards, what then?—Then we are shut up, if we cannot prove our case, and there is where I mention the difficulty is; it is in the defendant becoming a witness for himself.

5230. Have you considered the question of the application of total closing on Sundays to the City of Limerick?—Yes.

5231. What is your view of the matter?—My view is against total closing, and my reasons for it is with a view to meet the necessities of excursionists; I would say that to open at two o'clock after Divine Service, and to close at five would be much better; the people have done their dinner then and you give them three hours for any rational refreshments, and that would include of course the excursionists.

5232. I presume that the public-houses on Sundays are frequented by a good many persons residing in Limerick, are they not?—They are.

5233. Would not you consider their convenience in the matter?—I consider their convenience by giving them three hours. It is only the very low classes who frequent them very

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much, and they are almost driven to them from living in wretched hovels, and I think if they had better houses and were more comfortably housed they would not frequent public-houses so much.

5234. Are not there a very large proportion of the houses in some of the wards in Limerick, in Irish Town, for instance, rated below 11. a year?—They are. Of the 297 public-houses in Limerick 91 are of a low class, varying in valuation from 6 l. to 13 l. a year, and many of those public-houses have lodgers living in their houses, and in that way we have a great deal to contend with.

5235. In what way have you a great deal to contend with?—Because they can defeat the law if they have lodgers by carrying on drinking inside.

5236. Do you mean persons who are *dead side* lodgers?—Yes.

5237. How does that defeat the law?—It keeps the houses open; they say that they are *dead side* lodgers.

5238. Although they are not *dead side* lodgers?—Yes; they may not be *dead side* lodgers.

5239. Do you mean that the fact of those persons lodging in those public-houses enables the keeper of the house to bring others in too?—Yes.

5240. Do you find that those public-houses of that very low class are greater offenders against the law than those of a higher class?—Yes; the lower class of public-house is a nuisance in Limerick; they have lately dodged the police by having holes cut in the shutter, and when a tap is given at the window this little hole is opened and the liquor given out.

Mr. Murphy.

5241. Is that during the prohibited hours?—Yes.

Chairman.

5242. Now as to excursionists, do many persons come into Limerick on Sunday from the country?—A great many from about May to September.

5243. There are more in the summer than in the winter, I suppose?—Quite so; I do not think there are any in the winter.

5244. Do they come by railway?—Yes, by railway.

5245. Entirely?—I would not say entirely; there is no attraction in Limerick; but people that come from Galway, Cork, and Waterford, when they come into Limerick generally disperse, and go off to Castle Connell, Killaloe, and those places, for there is not much to attract them sleeping about Limerick.

5246. But they might be considered as *dead side* travellers, might they not?—Yes, certainly.

5247. If the public-houses, or some of them, were opened on Sundays to *dead side* travellers, their wants would be met?—Yes, but the question would be the selection of the public-houses.

5248. Do you think there might be a danger in opening all the public-houses in Limerick for *dead side* travellers, but closing them against everybody else?—No, I do not think there would be; if you took excursionists in as *dead side* travellers it would be a very large margin; it would require a very large force of police to detect it; they come in there in thousands.

Chairman—continued.

5249. Do you think the police could detect the difference between *dead side* travellers and the inhabitants of Limerick?—I do not think they could; my idea would be that a man calling at the police station, and proving himself to be a *dead side* traveller, might get a note or ticket to the nearest respectable house, and allow it to be open for half an hour or an hour to let him have his refreshments. The *dead side* travellers, exclusive of excursionists, are very few.

5250. An excursionist is a *dead side* traveller if he comes from a sufficient distance?—Yes. They come in bodies, and a great number of excursionists bring their own picnic baskets with them and go about the country.

5251. Do many persons go out of Limerick on Sundays?—A great many.

5252. Where do they go to?—To Castle Connell, Killaloe, Adare, and so on, for the attractions of those places.

5253. Do they take their dinners and their drink with them?—Yes, they take their provisions with them.

5254. Do you think that any difficulty would be occasioned to them by the public-houses in Castle Connell being closed on Sundays?—I think not.

5255. They do not frequent them much?—I do not think they do. I think that the excursionists to Castle Connell go off down the banks of the river and have their picnics there. It is perhaps right to mention that there is a very large section of the County of Limerick virtually under the closing system at this minute from the will of the Roman Catholic Bishop of Cashel. In his diocese they do not open at all on Sundays.

5256. That is to say, the country parts?—Yes, such as New Pallas, Killmallock, and Doona.

5257. There is no town of any size included in that?—No, not of any size.

5258. Do many persons in Limerick among the working classes, or other classes, send to the public-houses on Sundays for beer or porter for their dinners?—I should think they do, a great many; I think there has been a large increase of the drinking of porter and beer of late years instead of whisky; but it is the lower classes of the people, who are standing at the corners at two o'clock waiting to have the doors opened to rush in.

5259. Do they wait to rush in, not only for the purpose of drinking in the house itself, but for obtaining porter or beer to take home to have for dinner?—Not at all; but to go in there to drink.

5260. Are you aware of any meetings that have taken place in Limerick on the subject of Sunday closing?—I have heard of one meeting in favour of Sunday closing, and none against it.

5261. Were you present at that meeting?—No.

5262. Do you know what happened there?—No; I believe that it ended in nothing.

5263. How do you mean?—I believe there was no resolution carried.

5264. Was that the meeting at which Mr. Ambrose Hall was to have presided?—No; I think at the meeting I allude to, Mr. Spillane was chairman.

5265. Do you know how many persons attended that

*Chairman*—continued.

that meeting?—I could not tell you; it was not considered of any importance.

5266. So far as you have the means of knowing, what do you think is the feeling of the people of Limerick on the subject of the total closing of the public-houses on Sundays?—Very divided.

5267. How are they divided; who are the people who are for, and who against?—There are a great many respectable people, merchants, and others, for and against. As a rule, all the labourers are paid in Limerick at three o'clock on Saturday. Then they break up, and then they go to spend their money. There are two or three firms in Limerick who pay on Friday. I was speaking to one of our largest merchants the other day, and he told me that he used to pay on Friday, but he had to give it up because he found that the men were of no use on Saturday, and were of no use on Monday; so that he turned to the paying on Saturday again.

5268. What is the feeling of the middle and lower classes on the matter?—I think they are very indifferent; I have no doubt in the world that it would be a very great boon if the total closing of the public-houses on Sundays could be accomplished; but I think that the closing early on Saturday evenings, and letting them open for two or three hours on Sunday would have the desired effect; I would shut them up on Saturday at six o'clock, and I would open them from two to five on Sunday.

5269. Do you think that if there were total closing on Sunday there would be a greater danger than at present of illicit sale?—I am sure there would be; I do not think it would be simply in the shebeen houses, but it would be in the regular public-houses, the ones that sell now illicitly.

*Mr. Richard Smyth*.

5270. Are these arrests which the police make in Limerick, arrests of habitual drunkards generally?—You may say as a rule they are; from the statistics that I have given you, I think they are pretty much the same every year.

5271. On the Sunday the people have only an opportunity of drinking during seven hours, viz., from 2 to 9 o'clock in public-houses; on the other days in the week they have I believe 16 hours for drinking?—Yes.

5272. You have stated that the number of the arrests on Thursday is 436, and on Sundays 278; do not you think that the proportion of arrests, taking into account the number of hours for drinking, is larger on the Sunday than it is on the Thursday?—I do not think it is; and I think I can account for it in this way: Wednesday and Saturday are the market days and fairs days in Limerick; the men of the lower class are employed in earning money on Wednesday, and they get paid on Wednesday night, and they drink on Thursday.

5273. The proportion of hours that the people have for drinking on Sunday and Thursday is as 7 to 16, but the proportion of arrests on Sunday and Thursday is as 278 to 436; do you perceive that the proportion of arrests is really larger on Sunday than on Thursday, taking into account the number of hours?—But the number of hours that they are employed on Thursday and the other days in the week, and it is only from six o'clock to dark that the public-houses are open, at a time when they can go into them.

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*Mr. Richard Smyth*—continued.

5274. I do not want you now so much to account for it, but simply to call your attention to the fact, because I understood you to say that there was not more drinking on Sunday in proportion to the opportunities for drinking than on any other days of the week?—I do not think there is.

5275. How do you account for it then that in proportion to the number of hours that the people have for drinking there are more arrests on Sundays than on Thursdays?—I really could not account for it. You must take into consideration the different days in the week, and that there are a great number of people who come into Limerick on Sundays who do not belong to Limerick at all.

5276. Is it so that the police do not usually arrest persons who are the worse for drink if they are able to make their way home or if they are in charge of their friends?—Yes, those are their orders, not to arrest them.

5277. Do not you think that on Sundays men who are drinking in public-houses are more commonly looked after by their friends in the evenings than on the other days in the week?—I do not think so; I think that on Saturday evenings they are more looked after by their friends while the money is going.

5278. Do not you think the same applies to Sunday?—No, I do not think it does.

5279. I think you said that it is the low classes who frequent the public-houses very much on Sundays?—Yes.

5280. And yet the more respectable artisan classes of Limerick?—No.

5281. With regard to the proof of an infraction of the law in shebeens, do you say that a shebeen keeper may be examined by the magistrates as a witness against a visitor to his house?—In favour of him.

5282. Or against?—He may be cross-examined against. He can be brought up as a witness for the parties who were found drinking in the house.

5283. But do the magistrates allow questions to be put to a shebeen keeper that might lead him to criminate himself?—What I have just mentioned is the law.

5284. Do you think that the law ought to be altered?—I think it ought; he is very likely to say that nothing of the sort occurs there.

5285. I suppose a shebeen keeper never in any case gives evidence which would criminate himself?—He generally says that it is brought in.

5286. Would the magistrate provoke him to do so, if he felt so disposed?—I would not say that.

5287. You say that there are 65 six-day licences in Limerick, and I think you said that those persons who hold these licences voluntarily applied for them without any pressure from the magistrates or others; was that because the Sunday trade, conducted by those people, was not of sufficient magnitude to compensate them for the higher duty of the licence, and the trouble of keeping open on Sunday?—Generally out of that class of 65, the greater number are houses where illicit sale is carried on, that is selling privately on Sundays.

5288. Have any of the six-day licence holders been convicted?—Yes, I have given the statistics; I have not divided them, but I gave you the number of convictions for selling, and it is generally in those houses.

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Mr. Richard Smyth—continued.

5288. We have had evidence from Belfast that in no instance was a six-day license holder convicted, and I should like to know whether the practice is different in Limerick?—Limerick is different.

5289. You do not recollect the number of six-day license holders who were convicted?—I could not tell you their number; I only have them in the aggregate.

5291. They are not allowed to open at all, are they, even for *bona fide* travellers?—No, not to sell to anyone.

Mr. Maurice Brooks.

5292. With regard to that meeting in Limerick, can you say whether it was originated by the residents of Limerick, or was it originated by the Parent Association?—There was a meeting in Limerick. Mr. Spillane, I think, will tell you more about it than I can tell you; but I believe it was purely local.

5293. Do you know if any deputation from the Parent Association attended it?—I never heard of one.

Mr. Murphy.

5294. The honourable Member for Londonderry asked you whether or not the number of arrests on Sunday were not, in your opinion, greater in proportion to the opportunity and hours of drinking than they were on the week days?—I have answered that before as well as I could.

5295. Do you or do you not consider that although the number of hours on Sunday when the public-houses are open are fewer than the number of hours on the week days, yet that those classes that frequent the public-houses have a less opportunity of drinking on week days than they have on Sundays?—They have less opportunity of drinking on the week days.

5296. In one word they are employed during the whole of the week days, and consequently have a fewer number of hours to devote to drinking than they would have upon Sundays?—Yes.

5297. Is it not obvious that in that sense the opportunities are greater on Sundays than they are on the week days, although the number of hours on which the public-houses are open on the Sundays are fewer than on the week days?—Yes, that would be so.

Mr. Richard Smyth.

5298. I suppose that the habitual drunkards have plenty of time on the week days as well as on the Sundays?—Yes.

Mr. Murphy.

5299. Have you turned your attention to this fact, as to whether the number of arrests on Sundays consists principally of habitual drunkards or of people who sometimes exceed the limits of sobriety?—They are the usual class.

5300. And the usual class are the habitual drunkards I take for granted?—Yes.

5301. And the mass of the community, therefore, are not affected?—The mass of the community of Limerick, I must say, are not drunkards; when I say that the proportion is 1 to 4,600 per day, you will see that that is not very much.

5302. Is Sunday a quiet and orderly day in Limerick?—Generally most so; a day for the playing of hands and merriment about and amusing themselves in that way.

Mr. Murphy—continued.

5303. Assuming, therefore, that the object of this Bill is to produce order and quiet in Limerick, and also to repress intemperance, if such exists, do you think that there is any necessity for such a Bill, so far as the total closing of public-houses is concerned?—I think that it would have more of an injurious effect than any other, because they would get the drink wherever they could get it. Those who want to get drunk will get drunk.

Mr. O'Shaughnessy.

5304. Do you think that there are many shebeen houses at present in Limerick?—Yes.

5305. Do you think that there would be a tendency to increase that number by the total closing of public-houses?—I do not think there would; I think the tendency would be that illicit sales would go on in the licensed houses.

5306. There are six that you know of, but, of course, it is utterly impossible for you to say that there are not others?—Indeed there are not others; I think it would be very hard to establish one without our finding it out.

5307. But there would be a greater tendency to use these shebeen houses, and there would be a greater duty thrown upon the police if there were total restriction on Sundays?—Of course it would create the necessity for greater supervision of the police.

5308. Have you ever found that the six-day license houses attempt to sell illicitly on the seventh day?—Yes, frequently.

5309. And therefore you would hardly regard the six-day system as a complete success?—It is not a perfect success.

5310. Do not you think that its ill success, or its failure, would be likely to be greatly increased if we had the total closing of the public-houses on Sunday?—I am sure of it; it would lead to the holders of seven-day licenses, as well as of six-day licenses, doing it. There would be more shebeen houses and more evasion.

5311. You have one officer and 24 men in Limerick within the municipal boundary; I presume you find that they have quite enough to do at present?—Yes, quite.

5312. Do you think that without any addition they would be able to discharge the duties cast upon them by the total closing of public-houses on Sunday?—To have proper supervision over all the houses there should be an increase of the force, not that I apprehend any rioting, or anything of that sort.

5313. It was suggested by, I think, Mr. Cleary, that the possible extension of your detective system might aid in the suppression of the thing. I want to ask you whether you think it advisable, for the sake of public peace and goodwill between the authorities and the people, to give any greater extension to the detective system?—I think our detective system is quite enough as it is; we employ as many men as we require; we do not use very many.

5314. I suppose you are not anxious to use that system except in cases of extreme necessity?—Except in cases of necessity, certainly not.

5315. I presume the use of that system is calculated to create suspicion between the authorities and the people?—The people suspect it pretty well themselves if there is supervision kept over them.

5316. And it is not a pleasing kind of supervision for the authorities to use?—No.

5317. And

Mr. O'Shaughnessy—continued.

5317. And therefore you are not anxious for it?—No, I think we have sufficient detectives.

5318. You said, did you not, that drunkenness was not on the increase in Limerick?—Yes, according to the statistics which I have given for the last few years, they do not vary more than 10 each year, or something of that sort.

5319. I also understood you to say that the worse features of the drunkenness were amongst those who stand at the corner, and wait for the public-houses to be opened?—Yes.

5320. That is to say, amongst the extremely poor class?—Yes.

5321. And I suppose that the horror of drunkenness is more in the extent to which it is carried, and the poverty and misery that it causes amongst that extremely poor class, than in the number of drunkards?—It is.

5322. And the degradation which it causes amongst those poor people?—Yes; they get drunk on Saturday night, and then they are thrifty on Sundays, and they must get it.

5323. And then they are demoralised for half the week?—Yes, and very useless as labourers, I believe, on Monday morning.

5324. With regard to those people who stand as you say at the corners of the street; what provision is made for their occupation on the Sunday; have they any means of amusing themselves?—None in the world in Limerick.

5325. Those people are the class to whom a library would be of very little benefit, because a great number of those poor people cannot read?—I suppose some of them would not know A from B. There is a people's park being opened now, and if they like they can go and walk there.

5326. Do not you think that before we impose such a grave restriction as total Sunday closing, it would be well to give those people an opportunity for enjoyment of that sort taken in a more becoming way?—I think that if the people were more comfortable at home, they would not have the temptation of going into the public-houses; but I do not want to give opinions upon matters of legislation.

5327. But as a matter of fact, movements are now being on foot in Limerick, both for the construction of better houses, and for affording amusements on Sunday?—Yes, and I say there is the park.

5328. Do you hope that that will materially diminish the excess of drinking on Sunday amongst that extremely poor class?—I do not know that it will.

5329. But you look forward to that, do you not?—Yes, I do, and that will be something towards it.

5330. Have you been stationed in any other large towns in Ireland but Limerick?—I have been 36 years in the constabulary, and I have been in Kilkenny.

5331. You do not think Limerick is, so far as numbers go, or the effects of drinking, more unfortunate than Kilkenny?—I should say not; I think it contrasts very fairly with any other city that I have ever been in. As I said before, one in four thousand a day is not much in a large city like Limerick.

5332. Do you think, as Alderman Cleary told us, that the habit of bringing beer home to drink on Sunday, is beginning to be created amongst a certain class of artisans?—I think that the drinking of beer and porter, as I said in my evidence.

Mr. O'Shaughnessy—continued.

dence, is on the increase more than drinking whisky; people are more comfortable when they bring their beer home for their dinner, and take it there.

5333. Do you think there would be any danger that if you closed the public-houses on Sunday, the impossibility of bringing beer and porter home, would cause inconvenience to them?—I am sure of it, unless the houses were open for two or three hours. There are large and extensive houses in Limerick, who ought to be considered spirit grocers, only they sell at the counter; they would give you a glass of whisky and water over the counter, but they have no tap room; it is only the lower class of houses that have tap rooms, and there the fellows sit down and get drunk.

5334. Have you any fear that if you have total Sunday closing, the habit of bringing home whisky and beer and other matters to drink, whisky particularly, would increase, so as to create the danger of domestic drinking in Limerick?—I am sure that there would be domestic drinking; they would drink whenever they could get it.

5335. The lower class of the female portion of Limerick are not at present, I think, particularly addicted to drink?—No, I gave you the numbers. For 2,945 males there were only 397 women.

5336. Do not you think that there would be a possibility of greater danger by the acquirement of habits of intemperance by the women, if liquor were brought home into their families, than if the present state of things continued?—I would not say that; I do not think that they would drink at home quietly.

5337. Do not you think that there would be a greater temptation to the wives of artisans to drink, if the whisky were brought into their homes, than if it were not?—I think they would get a greater share of the liquor than they do now.

Mr. Law.

5338. I think I understood you to say that the greater part of the Sunday drinking was amongst the lower class, both at the public-houses and other places?—Yes, certainly.

5339. I think you use the expression that the low classes of public-houses were the nuisance of Limerick?—Yes, I gave the reason. The better class public-houses have no tap-room; they cannot sit down there; and they go to places where they can sit down.

5340. Did you not use that expression with regard to the spirit grocers?—We have no spirit grocers in Limerick; I say that the people whom we suspect to be spirit grocers are the class that have those large grocery establishments.

5341. Do you mean that people who are grocers in fact, do, in point of fact, sell whisky to be consumed on the premises?—They do; they take out an ordinary publican's license.

5342. Then they are publicans?—Yes. What I said was that the class of houses that you would expect to take out a spirit grocer's license takes out a common public-house license.

5343. You tell us that the excursionists who leave Limerick on a summer day with their families for Killaloe and Castle Connell generally take their provisions with them?—Yes.

5344. Then they do not, according to your view,

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view, need refreshment at a public-house when they go out?—A great number of them do; I cannot say that every one carries his basket with him.

5345. Do not you consider that there are considerably more people that come from a distance into Limerick?—Yes.

5346. They would, of course, come under the description of *long distance* travellers when they have travelled three miles?—Yes; three miles makes them *long distance* travellers.

5347. Did you say that there were no excursions in winter?—Very seldom; there may be exceptional cases, but, as a rule, never.

5348. Do I understand you to say that if it were practicable you would consider that total closing of public-houses on Sunday a great boon if it were reasonably practicable?—I think it would be if it were reasonably practicable.

5349. If the restricted hours that you recommend, or any other restriction, did not increase abstinence, or entail any bad consequences, I presume you would be prepared to go further with the experiment?—Yes, I tell you that the experiment of Sunday closing in a part of the county of Limerick, in a large portion of it, exists. In the diocese of Cashel it exists, and there seems to be no complaint about it.

5350. You do not find any bad effects in that part of the county?—No.

5351. In describing the courses of this habit of drunkenness, you told us that they get drunk on Saturday, and they are thirsty on Sunday, and they are sick on Monday?—Yes.

5352. And by that time I suppose their money is gone?—Yes.

5353. Do you think that any good result would follow from the interruption of the opportunity of getting drunk to those thirsty people on Sunday, if, having got drunk on Saturday, they could not gratify their thirst for drink on Sunday, they might be well enough to go back to their work on Monday?—They would get the liquor in if they wanted it.

5354. You would make no account of the facilities for getting it?—No, I say I am perfectly satisfied that total closing would increase the illicit sale of whisky.

5355. Notwithstanding the efforts of the police, you would restrict the house from three o'clock to five o'clock?—From two o'clock to five o'clock, I think, would give everyone an opportunity of getting what they wanted.

5356. Would that increase the shebeening?—I think not.

5357. But anything beyond that you think would?—I think it would. I think total Sunday closing would increase the illicit sale of whisky.

5358. But confining the getting of liquor from two o'clock to five o'clock would not increase shebeening?—I think not.

5359. Suppose you restrict them to two hours, from three o'clock to five o'clock, would that increase it?—It might, in a ratio.

5360. What ratio?—I cannot exactly make the calculation, but the reason that I mention the hours from three to five o'clock is, that it is after dinner, and after Divine Service, and that five o'clock is the hour that the excursionists generally leave.

5361. Are not those three hours, from two o'clock to five o'clock, arranged by you with reference, not to the habitual drunkards, who

Mr. Low—continued.

give you the trouble, but to the respectable people, who want to use beer for their dinner?—No; my evidence was, that I gave it to meet the wants of the excursionists.

5362. It is to meet the wants of excursionists and the wants of people who are accustomed to beer for their dinner?—Yes, exactly, the want of everyone in Limerick that wants drink.

5363. Does that include the want of the habitual drunkards who, you tell us, will have it, no matter what is done?—Yes.

5364. Do you think he would not want more if he got three hours?—I do not think he would.

5365. The habitual drunkard, who would have it, no matter what you do, do you think he would be content with those three hours?—Yes, he would be content with those three hours; of course it is only my opinion, it may be worth nothing.

5366. You have given us the number of arrests and prosecutions on Sunday, Saturday, and Thursday; could you give us the number for Monday?—I do not think I have those figures.

5367. You mentioned a difficulty that the magistrates find with the present law as to the conviction of a shebeen keeper?—I do not give any evidence as to the magistrates' difficulties; I am not a magistrate, I only give evidence about the constabulary proceedings and convictions.

5368. The police as I gather from you would themselves of the opportunity, the door being open, of going into those places?—Yes.

5369. We assume that the policeman finds inside people round a table with liquor before them?—Yes.

5370. And then the difficulty that is experienced is that when the policeman swears to these facts, that perhaps he saw them actually sitting with the drink before them, the owner of the house comes up and swears that he did not give it them?—Yes, and the owner of the house, and his wife, and the inhabitants of the house are capable of being witnesses.

5371. It does not, however, follow that the magistrate believes the stories of the men's witnesses against the police?—I do not know what the magistrates believe at all. The convictions are extremely few.

5372. Do you mean to state to us that when a magistrate hears the distinct evidence of the police, who find evidence of drinking going on in one of those shebeen houses, as a rule he disregards it when opposed by the evidence of the owner of the shebeen?—In many cases the magistrates have done so.

5373. I suppose that they are not bound to believe what anybody says?—I cannot say.

5374. Do you think it would be an advisable thing to have any restriction upon the licensed houses having opportunities of letting people in by back doors?—Decidedly.

5375. There is no restriction now I believe?—There is no restriction now, and that is where all the mischief is done.

5376. The suitability of the premises is generally considered, is it not?—Yes; but that is not considered as part of the suitability.

Marquis of Hamilton.

5377. Can you give me approximately the number of the population of the largest town within the Bishop of Cashel's diocese where the total closing of the public-houses on Sunday has been



Marquis of Hamilton—continued.

been enforced?—I could not; I have not an idea.

5378. Would it be 5,000?—Not in my county. In the section of Limerick, that is, in the Cashel Diocese, I suppose 300 or 400 would be about the population of the largest village.

5379. In that small town has there ever been any expressions of dissatisfaction manifested by the inhabitants at the total closing?—No; they are perfectly contented and satisfied. It is an order from their bishop, and they obey it.

Mr. Ian Hamilton.

5380. How near does the jurisdiction of the Archbishop of Cashel come to the City of Limerick?—Within nine miles.

Marquis of Hamilton.

5381. Do you think the order of the Bishop of Cashel has led to an improvement in the general conduct of the population?—It has existed for years and it exists in the New Parks district, which was notorious for broken heads.

Mr. Bruen.

5382. With regard to the conviction of persons keeping shebeen houses, I imagine it is you on the part of the police or your officer who conducts the prosecution before the magistrates?—Yes, generally.

5383. To make an offence there not one or two elements necessary generally in these convictions, either the exposing for sale or the actual selling?—Apparently dealing on shebeen premises is sufficient. If you are acting under a warrant, you seize all the drink that is there, and if you have not a warrant, you can go in but you cannot seize; you can only summon.

5384. What difference would it make in the evidence of the prosecution your seizing the drink; your man can prove that the drink is there?—Yes.

5385. And he would prove that persons were sitting there with something to drink before them?—Yes.

5386. Do you say that a prosecution ever fails after you have proved these circumstances?—Very seldom; when we make a seizure, there is the evidence of the drink there.

5387. But if you do not make a seizure, how does it happen that it is a failure then?—Simply from the contradictory evidence of the interested parties; if I summon you for having an unlicensed house and a gentleman for drinking in it, you can be examined as a witness for him, and he for you.

5388. Would it facilitate those convictions if it were sufficient to prove the fact of having on the premises drink for sale?—Yes, it would, without giving the owners of the houses the power of swearing themselves out of it. The class of persons, as a rule, who hold shebeen houses are very low.

5389. There are 65 six-day licenses I see issued in Limerick; do you find that there is any

Mr. Bruen—continued.

pressure or any inducement at the licensing sessions on the part of the magistrates to grant six-day licenses in preference to seven-day licenses?—I answered that to the Right honourable Chairman: I said no, I did not think there was any pressure. At the same time I am not perhaps a competent witness as to that. I do not attend those sessions; it is not part of my duty.

5390. But most of those large houses that you spoke of as being really grocers' establishments, and having publicans' licenses are open on Sundays, are they not?—Yes, many of them; some are not.

5391. Does the sale of anything else besides drink go on in them on Sunday?—No.

5392. Have you ever heard that the assistants in those grocers' establishments who are obliged to attend on Sundays complain of that?—I have had one or two opportunities of hearing them do so; they have complained personally to me on the subject.

5393. Is it, or is it not, an unusual thing for publicans' licenses to be granted to those persons who have only grocers' establishments and who have no accommodation for the public?—They generally get them.

5394. Can you say how many of those houses in Limerick which you speak of have taprooms. I think your evidence was that only the lower class of the public-houses in Limerick have taprooms for the accommodation of persons to sit down and drink?—As a rule the lower class public-houses are the only ones that have taprooms.

5395. As to those houses which you call hotels, you would exempt them, would you not?—I am not alluding to hotels at all.

Chairman.

5396. How do you define the difference between an hotel and a public-house?—An hotel is quite a different establishment from a public-house; an hotel is not used as a regular place for going into and drinking in; it is a place for travellers and gentlemen stopping there.

5397. There is no legal definition of the terms, is there?—No, there is no legal definition.

Mr. Bruen.

5398. Have those hotels that you speak of not got taprooms?—Not regular taprooms; they have coffee-rooms. Of course anyone can go in and drink there if they like.

5399. Should you be afraid that, if the total closing of the public-houses on Sunday were applied to Limerick, there might be formed amongst the working classes clubs for the purpose of drinking to evade the closing law?—My own impression is that if the total closing of the public-houses on Sunday were carried out, they would get drink, no matter how they got it, whether it were from a club or from the public-houses or from illicit sales, they would have the drink.

Mr. WILLIAM SPELLANE, called in; and Examined.

Mr. Richard Smyth.

5400. I BELIEVE you are a Magistrate of the City of Limerick?—Yes.

5401. Are you also a member of the Town Council?—I am not a member of the Town Council for the last year and a half.

0.59.

Mr. Richard Smyth—continued.

5402. But you have been so?—Yes, for eight and a half years.

5403. Did you ever hold the office of Mayor?—Yes, in the year 1870.

5404. Are you well acquainted with all classes of

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of the population of Limerick and their habits?—Yes.

5405. Do you preside as a magistrate in the police court, or do you attend as a magistrate?—Yes.

5406. With regard to drunkenness, what is your experience as a magistrate as to the comparative drunkenness on Sundays and other days of the week?—There is no doubt that there are more prosecutions for drunkenness on Monday morning, far and away, more than on any other day of the week. I am not prepared to say whether a great many of those people do not get drunk upon the Saturday evening.

5407. You think that many of those cases are held over from Saturday as a matter of course?—They must be, because no magistrate can deal with the cases of drunkenness on Sunday, but the authorities could satisfy you upon that point if they wished to give the information, because the police returns could prove whether a man was arrested upon Saturday evening or Sunday.

5408. Mr. Alderman Cleary gave evidence here to-day, that the state of the City on Sunday evenings after 9 o'clock was anything but satisfactory as regards drunkenness; how do you account for the fact, that notwithstanding there are fewer arrests on Sundays than on other days in the week?—I think it is very easily accounted for. The police do not arrest everyone that they see drunk, nor do they arrest one-half of those that they see drunk; so long as a man does not make a disturbance in the street, he would not be arrested if he were able to go home, or if he is in charge of any friend who is sober, he would not be interfered with. I maintain that the arrests for drunkenness do not prove the amount of drunkenness.

5409. So that you think there is really no inconsistency between the number of arrests on Sunday, and the facts which have been stated here, that on Monday morning a great number of the working classes are unfit for their work on account of drink?—No inconsistency whatever.

Mr. Bruce.

5410. Do you think that on other days in the week, it is the same practice on the part of the police not to arrest persons who are drunk, as you say prevails on Saturday evening?—I believe the police orders are to that effect, but the number of people who would be in care of their friends on Sunday evening, although they were drunk, would be far more than the number of people who would be guarded by their friends on a week-day.

Mr. Richard Smyth.

5411. How do you account for that?—The wives and friends of those people go in with them to the public-house, and if three or four go in together they will not all get drunk, and if one man gets drunk, the two or three other sober men will take him home. If a man goes in during the dinner hour upon a week-day, and gets drunk at a public-house, there is no one to look after him; he would not have a friend with him so frequently, and he comes out and is seen helplessly drunk, or makes a noise in the street, and he is immediately arrested.

Chairman.

5412. Do the people only have their friends with them on Sunday?—I think they are with them in far greater numbers on Sunday.

Mr. Richard Smyth.

5413. They drink for social purposes you think, more on Sunday than on other days?—In Ireland they always drink more for social purposes, I believe, than from the love of drink; I believe that is one of the characteristics of my countrymen.

5414. This social drinking it appears can only be carried on in a low class of public-house; is that so?—It is carried on more there than it is in the better class, no doubt.

5415. Mr. Galloway has just told us that the only houses in Limerick, or almost the only houses that have accommodation for people to sit down and drink, are the low class public-houses; do you agree with that?—I do not agree with that. I think there are very few licensed public-houses in Limerick who have no accommodation for the very humble classes to drink. Of course, Mr. Galloway ought to know more about the public-houses than I do, but I must say I cannot agree with him in that view; I allude to taproom accommodation. My opinion upon that point does not coincide with his, while I freely admit that he is a much better authority on the matter.

5416. Are there a great many public-houses in Limerick that have only standing accommodation for the people at the counter, who get a glass of whisky and walk out again?—My idea is, that there are very few of that class. I think that by far the larger number have taproom accommodation.

5417. Are you acquainted with the general opinion of the people of Limerick with regard to the total closing of public-houses on Sunday?—Yes; I have seen the returns where the opinions were tested on a couple of occasions, and they appeared to be mine to one in favour of it.

5418. Have you attended any public meetings on the subject?—I have, several times.

5419. Will you describe the character of any of those meetings, and the results?—They were composed of every class; they were meetings open to the public, and they were held at some of the public halls, and there appeared as far as I could judge to be the greatest unanimity in respect of the total closing on Sunday.

5420. Were you at a meeting which has been referred to to-day, at which there was a considerable disturbance?—Yes, I was at that meeting; the disturbance was purely of a political character.

5421. Who was in the chair?—The chair was about being taken by Mr. Hall, but it was taken by the president of the trades.

5422. Do you mean the President of the General Trades of Limerick?—Yes, the President of the General Trades, Mr. Godsell, the man, I think, whose name was mentioned to the Committee to-day.

5423. Can you account for the disturbance which took place at that meeting?—It was purely of a political character, and it was because Mr. Hall had not subscribed to some fund in favour of John Mitchell; that was exactly the objection to allowing him to preside at the meeting.

5424. What class of people had taken possession of the platform before the meeting commenced?—They were a party calling themselves the Nationalist party; and even at that very meeting the resolutions which were proposed against the Sunday Closing Bill were defeated by an overwhelming majority; that was

Mr. Richard Smyth—continued.

was purely a meeting, I may say, of the working men of the city held in the theatre; and when resolutions were proposed against the measure they were negatived, and amendments in favour of the measure were carried by the overwhelming voice of the meeting so constituted.

5425. Do you think that the passing of the Sunday Closing Bill and its application to Limerick would create general satisfaction amongst all classes of the people there?—I do.

5426. I suppose the publicans of Limerick in general are opposed to it?—No, if I am to judge by their votes upon the question; out of 290, 90 voted in favour of total Sunday closing. I am giving you now the numbers in round figures. I believe there were 92 publicans who voted for, and 101 voted against, and 104 did not vote at all, that makes up 297.

5427. As a magistrate, do you apprehend any breach of the peace or rioting if the Sunday Closing Bill were passed?—None whatever; the idea is preposterous; whenever we apprehend a riot in Limerick the magistrates always order the public-houses to be closed, and I cannot see how when you have them closed you should apprehend any riot. I think it is a very preposterous notion.

5428. Do you know anything of the opinion of the grocers' assistants of Limerick?—One can easily imagine that they are in favour of it, for it would be the only day on which they could take any recreation, and they are denied any recreation whatever by the present state of the law.

5429. Do you know of any meeting being held by the Grocers' Assistants Association on the 8th of April?—I know that they held a meeting in favour of the measure.

5430. What was the result of that meeting?—That the grocers have not closed their establishments; some were prepared to do it, but some would not do it, and then the thing fell through. There is only one spirit grocer in Limerick.

5431. Those are grocers, of course, who have a publican's license?—Precisely; every grocer in Limerick, I think, with perhaps one exception, has a retail spirit grocer's license. There is one large grocer who has a spirit license simply; he is a spirit grocer. The meaning of that, as I take it, is, that he has no power to permit drink to be consumed on his premises.

Mr. Maurice Brooks.

5432. Have you any copy of the advertisement convening that meeting in Limerick to which you refer?—No, I have not.

5433. What was the avowed object of that meeting?—To get an expression of public opinion with reference to the measure under discussion.

5434. Was that meeting convened by persons in favour of the Bill for Sunday closing?—I take it that it was, but that did not prevent any man from attending the meeting and expressing his opinion against it if he had any opinion against it.

5435. But was it for the purpose of promoting the Bill, or was it not?—It was. With reference to one remark made by Mr. Galloway, I think it is right to say that I do not agree with his interpretation of the Act of Parliament with reference to sheshen houses at all. I never knew a case where the proprietor of a sheshen house was being prosecuted by the constabulary under the Act of 1838.

Mr. Maurice Brooks—continued.

the 17th & 18th Victoria where he himself was permitted to be examined.

Chairman.

5436. What he said was, that where a proprietor was prosecuted, the persons who were found drinking in the house were permitted to give evidence?—They are permitted, but it does not follow from that that they are believed. I think the law is very vague upon that point. The words of the Act are, that unless the contrary be proved, the person must be deemed to have been there for the purpose of drinking, but the Act does not say who is to prove it; and very recently, at my suggestion, a case was stated for the law officer of the Crown, and he gave it as his decided opinion, that the proprietor of the establishment was not an eligible witness, but that the people found on the premises were, and of course that being so, the magistrate had no discretion in the matter, but to allow the men who were apparently under the influence of drink on the premises to be examined, and they did satisfy the Court upon that occasion that they had not got any drink whatever upon his premises, but that the men who were found there had come in for the purpose of buying some other provisions, a loaf of bread, I think, be then being under the influence of drink.

5437. Were you a member of the Court upon that occasion?—I was; it was I who suggested to state the case, the police objected to the examination of the sheshen house proprietor, and the solicitor engaged pressed that under the Act it was open for the magistrates to examine him, I thought it myself an absurd thing to allow the owner, under the circumstances, to attempt to swear himself out of the penalty, and I suggested that a case should be stated fairly for the opinion of the law adviser; and his opinion, I am happy to say, coincided with mine; we had it on the following Friday that the owner of the house was not an eligible witness, and could not be examined, and he was not examined as a matter of fact.

5438. County Inspector Galloway never stated that he was?—No, but I thought I understood him to say that they used to swear each other out of the thing.

Mr. Charles Lewis.

5439. Is it the practice in Limerick, or have you ever known it happen that at the time of an election the magistrates have ordered public-houses to be shut?—I have known it to be done frequently.

5440. It is not the universal practice, I suppose?—No, unless there was a great deal of public excitement about the election, and then they would close them.

5441. Earlier in the evening?—At an early hour in the evening and until an advanced hour in the morning.

5442. Have you ever known on those occasions any ill results happen in the way of public disturbance in consequence of the public-houses being closed?—Never.

5443. Do you happen to know whether that has been done in other boroughs in Ireland?—I cannot positively say, but I have an idea that it has been done frequently when the magistrates apprehended a riot or a breach of the peace. I do not think that the Limerick bench are peculiar in issuing such a mandate as that. I believe other magistrates have done it.

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5444. In

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Mr. Charles Lewis—continued.

5444. In your judgment is that a fair means of testing what would be the effect of closing public-houses on Sunday?—Decidedly; I think it is a fair means of testing it.

Mr. Murphy.

5445. I think you gave the numbers of publicans who, in the time that the canvass was made, declared their opinions for and against?—Yes.

5446. And I think you said that there were 100 who did not vote at all?—According to the returns I see that 104 did not vote.

5447. How many voted for closing?—Ninety-two and 101 against. That very nearly divides the publicans into three parts.

5448. How was that canvass made, do you know?—A voting paper was left at the house and called for in a day or two afterwards.

5449. Is it the fact that at the present moment and for some time past there have been a number of public-houses in Limerick voluntarily closed on Sundays?—Certainly.

5450. Can you say how many?—I cannot undertake to say how many.

5451. I suppose that the 85 six-day licensees were included in the 92?—I have no doubt they were, but I have no means of ascertaining.

5452. You spoke of the grocers' assistants having a meeting for the purpose of considering this question?—Yes, I remember reading of it.

5453. And I think you said in your evidence that every grocer in Limerick had a publican's license?—I think that every grocer but one in Limerick has a retail spirit license.

5454. And that is totally independent of what you call the licensed victuans?—I think they are the same; I do not see any distinction between them.

5455. Does every licensed victualler sell groceries in Limerick?—There are some few who sell nothing but drink, but they are not many; nine-tenths of them sell tea, sugar, coffee, and all other things of that class.

Mr. O'Shaughnessy.

5456. I suppose you remember occasions on which the public-houses have been closed at elections?—Yes, I remember them.

5457. At what hour in the day generally do they close them?—I think they closed them either about 6 o'clock or 7 o'clock in the afternoon; they were closed for the whole of the night, and they did not permit them to be open until 9 o'clock in the morning; it is a long time ago. I am happy to say, since we had any disturbance at an election in Limerick. I cannot be very accurate, but I believe those are the hours.

5458. That might have occurred, I suppose, three or four times in your memory?—That is as often as it has occurred.

5459. Do you mean that they were closed for the entire day?—No; they were allowed to be open from 9 o'clock in the morning till 4 o'clock in the afternoon.

5460. Do you think as far as regards the effect of it upon popular feeling that the satisfaction or dissatisfaction of the people at the closing of the public-houses, on three or four occasions in a time of great excitement for those few hours, could form any ground of argument as to the effect upon the popular mind of closing public-houses during 52 days in the year for the entire day?—As far as you can stretch it, it proves the

Mr. O'Shaughnessy—continued.

case. Of course it could not be a conclusive argument in favour of the view of total closing, but as far as it goes it is a help towards coming to that conclusion.

5461. Can you stretch it very far; is it your opinion that it can be stretched as an argument in favour of Sunday closing very far?—You cannot stretch it any further than it can be stretched; you must take it for what it is worth.

5462. There is a great deal of drinking on Saturday night in Limerick, is there not?—Indeed there is too much.

5463. Do you think there is as much drinking on Saturday night as on Sunday night?—I think so.

5464. Would you not be anxious to see the hours shortened on Saturday night?—Decidedly.

5465. Do you think that if they were shortened on Saturday night, there would be less tendency on the part of the men who had been drinking on Saturday to recommence drinking on Sunday?—I do not think it would make any very material difference so long as the public-houses are open on Sunday. A man can get drunk on the Saturday evening before 7 o'clock, and then he can get drunk again on Sunday the moment they open.

5466. Is not the chance of his getting drunk on the Saturday evening greater, as he is paid about 8 o'clock on Saturday evening, as I understand?—There are very few in Limerick who are not paid by 2 o'clock on Saturdays now; the labouring men, as a rule, do not work after 2 o'clock on Saturdays. At two they all break off, and they are all paid before they leave the merchants' offices.

5467. Do not you think that if they had three or four hours' compulsory sobriety between 6 or 7 o'clock and 11 o'clock on Saturday evening, there would be less drunkenness on Saturday evening than there is now?—A man between 3 and 6 o'clock will get drunk, and if you left him longer at it he would get more drunk, that is just about it.

5468. Is it not the general experience that the more a drunken man has to-night, if he is an habitual drunkard, the greater anxiety he will have to drink to-morrow?—Yes, but I believe that where a man gets drunk on Saturday night, if he can get drunk on Sunday, he will get drunk then too.

5469. Did it ever strike you that it would be a wise thing to extend the proposal of closing public-houses on Sundays to days which the population in places like Limerick generally esteem holy; I mean the holidays, days like the 15th of August, and the like days, which occur in the year; do not you think that would be very advisable on the same principle as you advocate Sunday closing?—No, I could not advocate that on the same principle at all.

5470. Why?—Because the masses of the people are obliged to work on those days. They are working days and the exigencies of the case require it. Employers cannot permit their men to absent themselves upon a day even that their church proclaims holy, and they are obliged to work, as a matter of fact. In 99 factories in Ireland out of 100, the men are obliged to work upon those days, even although their church urges them to remain idle, and I do not see that that argument applies.

5471. Yes

Mr. O'Shaughnessy—continued.

5471. You have attended, I think, a great number of meetings in Limerick; were you at the Treaty Stone meeting?—I was not; that was a night meeting, and an open air meeting, and I do not generally attend meetings of that sort.

5472. The meetings that you attended were all Sunday closing meetings, or were some of them purely temperance meetings?—I attended some Permissive Bill meetings in former times, and I attended some Sunday closing meetings.

5473. How many Sunday closing meetings have you attended in Limerick?—I think two or three.

5474. Where were they held?—There were some of them, I think, held in the theatre, and one or two were held in the Athenaeum.

5475. I suppose the theatre meeting is the one at which Mr. Hall was which you referred to?—It was one of them; I think there were two meetings held in favour of Sunday closing in the theatre; of course I do not like to be very positive about it, for I have no clear recollection, but I think there were two held in each building, as well as my memory serves me.

5476. Was Mr. Alderman Cleary there?—He was certainly at all the meetings that I alluded to.

5477. You had a large number of the middle and upper classes at those meetings, had you not?—We had.

5478. The theatre and the Athenaeum were pretty full, were they not?—They were both full.

5479. Were there many of the artisan class there?—At the meeting at the theatre, I should think nearly three-fourths of the number present were of the artisan class and the working class.

5480. At the meeting at the Athenaeum, how was it?—I think there were not so many there. Of course the building is not nearly so large, and there were not anything like the number of the labouring class there, but there was a fair proportion of the working men of the city at all the meetings that I was present at.

5481. We have heard that the habit of bringing home beer and porter to drink at home for dinner is on the increase in Limerick amongst the labouring class; do you agree with that?—I do not know whether it is or not.

5482. You are not much in Limerick on Sundays I presume?—No.

5483. Supposing you were told that the habit of bringing home beer and porter for ordinary use at dinner was on the increase, do not you think that it would be felt as an inconvenience on the part of the classes who are growing into that habit to be restricted from bringing it home?—If a man wanted a glass of porter at his dinner on Sunday, and could not do without it, I do not see why he should not buy a bottle of porter on Saturday.

5484. If they were in the habit of getting draught porter before, it would be an inconvenience to them?—I dissent from those who believe that they could not do without a glass of porter at their dinner, often would feel some inconvenience.

5485. There are a very large number of people that believe that they cannot do without a glass of porter at their dinner on Sunday, are there not?—I really cannot undertake to say.

Mr. O'Shaughnessy—continued.

5486. Those that have that wish you would not propose to prevent them from getting it, would you; you would regard it as an inconvenience to them?—So far as their individual inconvenience was concerned, I dissent; it would be an inconvenience to them; but, at the same time, if I believed that the general good of the community was promoted by their individual inconvenience, I would compel them to submit to the inconvenience; most laws inconvenience someone.

5487. I suppose you would prefer to see porter and beer drunk in moderation by people if brought home in that way, than see the constant use of whiskey amongst them?—Certainly.

5488. If you restrict those who are in the habit of bringing home beer and porter from so using on Sunday, do not you think that there would be a temptation to them to bring home some other stimulant, and to use whiskey?—If you closed the public-house on Sunday they cannot get whiskey any more than any other drink.

5489. But they are in the habit of bringing home draught beer and porter on Sunday, are they not?—There are some people who do so, I have no doubt.

5490. If you cut off their supply of draught beer and porter, will not you tempt them to bring home on the Saturday a liquor which being brought in a bottle will keep like whiskey?—I do not think so; I think a man who is in the habit of drinking draught porter or bottled porter on the other six days of the week, if he wanted a drink on the Sunday and had to bring anything home, would bring home a bottle of porter, as he has been in the habit of bringing home on the other six days. He would not bring home whiskey, for it is a great deal dearer.

5491. You are aware that draught porter and beer is cheaper than bottled beer and porter?—I am aware that it is.

5492. Therefore the working classes would sooner bring home draught porter or beer than bottled porter or beer?—Yes.

5493. Supposing that they cannot get draught porter or beer at a public-house to bring home on Sunday, will not there be a danger that they may be tempted to bring home whiskey?—No, I think not, because I think that they would bring home the next cheapest thing they would find, and that would be bottled porter or bottled ale. I do not see how you arrive at the conclusion that they will bring home whiskey, of which you say there is a danger, but which they are not in the habit of drinking on the other six days of the week.

5494. Of course there would be, even according to your view, a certain number of the lower classes with whom this total closing of the public-houses on Sunday would be unpopular?—I dare say that a man who must have a glass of draught porter or a glass of draught ale at his dinner would feel inconvenienced by not being able to get it. He would pay perhaps a halfpenny or a penny more for it in bottle; that would be the extent of his inconvenience.

5495. As to the popularity of the total closing of public-houses on Sunday amongst the lower classes, what is their opinion?—I believe that of those who have expressed an opinion the prevailing opinion is in favour of it. I believe with Mr. Gaffney that a great many have expressed no opinion whatever one way or the other; what-

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Mr. O'Shaughnessy—continued.

ever their motive for that apathy is, I cannot conceive.

5496. I will just read you a letter which I have received from the president of the trades in Limerick; it is in these terms: "Limerick, 16th March 1877. Mechanics' Institute, Bank Place. R. O. Shaughnessy, Esq., &c. Sir, At a general meeting of the trades of Limerick, held in the above institute on Wednesday evening the 14th instant, to have their opinion on total Sunday closing of public-houses in Ireland, the meeting was in direct opposition to the Bill, and appointed two delegates, John Godsell, president, and Thomas Dooley, treasurer of Mechanics' Institute, to give evidence for the trades before the Select Committee now sitting on the subject, I am directed to write to you that you may give us the necessary information to direct us how to act, and what time we may be summoned to attend, or what expenses we may get before we leave Limerick, as you may know that the trades have not funds to advance. I will expect an answer at your leisure, as it will be a great guide to us. I will send you the 'Cork Examiner' of to-morrow, as our meeting will be reported in it. Hoping that you will excuse my long letter, I remain, sir, yours respectfully, John Godsell, President, Trades;" do you know Mr. Godsell?—I do.

5497. You heard Mr. Cleary speak of him as a trustworthy respectable man, did you not?—I did.

5498. Do you adopt that view of him?—I do not know much about the man one way or the other.

5499. Do you know anything against him?—I know nothing against him.

5500. Would you take his statement as true that such a meeting as this had taken place, and

Mr. O'Shaughnessy—continued.

that such resolutions had been come to?—I would decidedly. He does not say how many were present.

5501. Do you know anything of Thomas Dooley?—Yes, I know him; he is treasurer of the trades, I think.

5502. Do you know anything of his character?—I think he is a very honest, correct, tradesman.

5503. And a trustworthy man?—I think so, I believe he is.

Mr. Charles Lewis.

5504. Are you a total abstainer?—Certainly not.

Marquis of Hamilton.

5505. At what time would you like to close the public-houses on Saturday evening?—I would say at the very latest 7 o'clock.

Mr. Sullivan.

5506. With reference to this letter which was put in, you do not know anything about the convening of that trades meeting?—Nothing whatever.

5507. You do not know whether or not it was got up to the Dublin meeting was by the publishers?—No.

5508. You cannot tell what power of delegation any of the people present had at it?—Certainly not.

5509. Were any of the trades at that meeting which was held at the Treaty Stone?—I have no doubt there were.

5510. Did not some of their banners and bands go there?—Certainly; to judge by the newspaper reports it was purely a meeting of the trades and working men.

Mr. FELIX JOSEPH MACARTHY, called in; and Examined.

Chairman.

Mr.  
MacCarthy.

5511. What office do you hold?—Resident Magistrate in the City of Limerick.

5512. How long have you held that office?—I have been in Limerick for the last four and a half years, nearly five years, I may say.

5513. What is your view as to the proposal for adopting the total closing of public-houses in Limerick on Sunday?—I would be very glad to see it successfully carried out, but I think that partial closing would be more conducive to peace and order.

5514. Why do you think it would be more conducive to peace and order?—I think that illicit sales would become more prevalent and shebeens established if the total closing of the public-houses on Sunday was carried out.

5515. Do you think that at present there is much illicit drinking in Limerick?—No, I do not think there is very much at present.

5516. Do you think that the adoption of total Sunday closing would cause fresh houses to be opened for the illicit sale of drink, or would lead to more illicit drinking in existing houses?—I think it would lead both to more drinking and to the establishment of illicit houses and illicit drinking.

5517. Do you think that it would be impossible to check that danger by giving increased

Chairman—continued.

powers to the police, or vesting in the magistrates the power of inflicting more severe penalties for the offence?—I think that it could be checked very much in that way.

5518. What increased power to the police would you suggest?—I think that the police should have the power of entry without a warrant, and without sworn information.

5519. Into any house where they might suspect the illicit sale of drink to be going on?—Yes.

5520. Do they not enter houses now without warrants?—They may, but they have no power of enforcing an entrance without a warrant.

5521. Are you acquainted with the Scotch law upon the subject?—Not perfectly.

5522. Do you think that it might be well to give the magistrates power to inflict increased penalties when the offence was detected?—I think so; I think that it would be beneficial if they had more extended powers with regard to punishing and inflicting heavier fines.

5523. How far would you extend their powers?—I think that the lowest penalty ought to be 5*l.*, and for the second offence, imprisonment without the option of a fine.

5524. Do you refer to the offence of the illicit sale of drink in an unlicensed house?—Or in a licensed house after hours, in either case.

5525. But

Chairman—continued.

5525. But supposing that those additional powers were given to the magistrates and the police, do you still think that if the total closing of the public-houses were adopted in Limerick city, there would be greater danger of illicit sales?—That is my opinion.

5526. Now as to drunkenness on Sunday, is it your view that there is more drunkenness on Sunday, or less drunkenness than on other days in the week?—The only way in which I can judge of that is from the records on the book on the Monday morning at the police court, and my experience is that there are fewer people brought up for drunkenness on the Sunday than there are on any other day of the week.

5527. The records at the police court distinguish between persons arrested on Sundays and those arrested on Saturdays, do they not?—Certainly; there is the change in the order book, the name and the hour that the party is arrested.

5528. Have you any reason to think that the police are less vigilant in arresting drunkards on Sundays than on any other days of the week?—No, I have no reason to think so. I think that they are quite as active on Sunday as they are on any other day.

5529. Did you hear what the last witness said as to that point?—No, I did not.

5530. Are the public-houses in Limerick largely used by the working classes in that city on Sundays?—I believe they are.

5531. Have you any means of knowing what the feelings of those classes would be as to their public-houses being totally closed on Sundays?—No, I have not. I think that opinion is very much divided in Limerick.

5532. Have you been present at any meetings on the subject?—No, I have not.

5533. Are you aware of anything that has happened at any meetings that have taken place?—No, I am not, except receiving a circular inviting my attendance at a meeting, I believe, got up and promoted by strangers to Limerick.

5534. Why do you believe that?—Because the names were not familiar to me that were on the circular that was sent to me through the post.

5535. Was the paper signed by Mr. Russell and other members of the Sunday Closing Association who have taken an active part in it?—I cannot recollect the names now.

5536. Did anything come under your notice as to the house to house canvass in Limerick on the question of Sunday closing?—I believe that it was very generally signed by people without thinking anything about it as to the result.

5537. What was generally signed?—Those forms that were sent about from house to house.

5538. Do you believe that people generally signed them in favour of Sunday closing without thinking about it?—Yes, very many signed them without well weighing the real facts and the conditions of the things.

5539. Do you know whether Limerick was thoroughly canvassed on that occasion or not?—I have no means of knowing.

5540. Some previous witnesses have stated that there is a good deal of indifference on the subject in the people of Limerick, do you think that is so?—I think so.

5541. Do you think that they then had fairly present to their minds the possibility that very soon the total closing of public-houses might be  
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Chairman—continued.

adopted in their city?—I do not think that they have considered at all that it would pass.

5542. With regard to excursionists on Sundays, do you agree with what has been said by Mr. Gullwey, that large numbers come into Limerick on that day?—Yes, during the summer and the autumn.

5543. Do they use the public-houses much?—I believe they do.

5544. Are you aware of the provision now contained in this Bill allowing *board and bed* travellers to obtain refreshments on Sundays?—Yes, I am.

5545. What do you think would be the effect in Limerick if all the public-houses in the city were closed generally but open for *board and bed* travellers on Sundays?—I think that there would be a great deal of inconvenience arising through it.

5546. In what way?—I believe that very many of the small tradespeople would get in their drink on Sundays for their dinner; I have been informed so.

5547. Do you think the hours of opening might be shortened without inconvenience?—I do.

5548. What would you recommend?—I think that from two to five in winter, and to be extended to either six or seven in the summer, would meet all the requirements of excursionists and travellers.

5549. Are the magistrates the licensing authority in Limerick?—Yes.

5550. Do you sit on the Bench?—Yes.

5551. Can you tell us the reason for the large proportionate number of six-day licences in Limerick as compared with other places?—Last year, or the year before last, all new applicants were refused except those who were willing to take out a six-day licence.

5552. Did the magistrates come to a formal resolution to follow out that practice?—Yes, they did.

5553. But renewing, I suppose, the existing licences for seven days?—Yes, they are obliged to do that.

Mr. Richard Smyth.

5554. Do the people of Limerick take any interest in Parliamentary proceedings at all?—I am quite satisfied that they do.

5555. What class of subjects do they take an interest in?—I dare say they take an interest in everything going on more or less.

5556. But they never get excited about anything?—Yes, they do.

5557. What subjects that come before Parliament do they ever feel excited about?—About Home Rule.

5558. That has swallowed up every other consideration, has it?—I think that they are more excited now on that question than any other.

5559. Are there any means of keeping the people of Limerick informed on the great questions that come before Parliament?—Yes, they have the newspapers.

5560. But this question of Sunday closing is one of those that has not come before them very much?—I think that they have taken very little interest in it; at least, I have not heard of many meetings for or against it.

5561. Are the people aware that a Sunday Closing Bill has passed the second reading in the House of Commons, and that Limerick is one of those cities which it is proposed to exempt from  
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the operation of the Bill?—It is quite possible that those whom it would affect do not know it.

5562. Those people must be in a considerable state of uncertainty about the position which Limerick will occupy under this Bill, must they not?—That must follow, certainly.

5563. And yet they are not at all excited about it?—No, I have not heard of any excitement about it; except those couple of meetings, I never heard anything about it, and I should not have known that they had taken place but for those circulars that were sent to me.

5564. Would you not infer from that that they are really indifferent as to whether the Sunday closing law takes effect there or not?—It would be supposed so.

5565. What is your opinion about it?—I cannot offer an opinion as to what they think about it.

5566. But the fact is, that there is no excitement in Limerick at all against this Bill?—I cannot learn that there is, either for or against it.

5567. You have been informed, you say, that the people are in the habit of getting in drink for their Sunday dinner; do you know that of your own knowledge?—No, except that in passing through the streets I have frequently seen girls and servants passing with jugs of beer.

5568. That is a common thing in Limerick, is it?—I have seen it.

5569. But I suppose that the beer and porter argument against the Sunday closing of the public-houses in Limerick would apply to any other town in Ireland equally with Limerick?—I do not know about the other towns to the same extent as Limerick.

5570. But supposing that the people in other towns take beer and porter for their Sunday dinner, would they not be as much inconvenienced by the Sunday closing of the public-houses in other towns as in Limerick?—Of course they would.

5571. So that really your statement as regards beer and porter would apply to Ireland in general, and not to Limerick in particular?—I suppose it would apply to every part of the country.

5572. You would be glad to see the Sunday closing law successfully carried out, would you not?—Yes, I should.

5573. Do you think that illicit sales would become more frequent under the Sunday closing law?—I think so.

5574. Is that a conjecture, or is it founded upon any information that you have?—Not from information that I have, but I believe, it from what comes before me.

5575. The illicit sale of drink is not practised to any great extent in Limerick, is it?—No, not to any great extent.

5576. So that the tendency to illicit sale in case of Sunday closing would apply equally to any other town in Ireland as well as Limerick?—To any town of the same extent, of course it would.

5577. It would only be a question of degree as between Limerick and any other town?—That is all in my opinion.

5578. So that in point of fact the argument from illicit sale against Sunday closing has no specific application to Limerick, has it?—No.

Mr. Maurice Brooks.

5579. Can you say if, at the time of municipal or Parliamentary elections, any manifestation of feeling on the part of the electors has been exhibited?—No.

5580. They have not favoured candidates who are in favour of this Bill?—No, I have never heard that, not in Limerick, certainly.

5581. So that such opportunities of manifesting public opinion, if any, have not been availed of?—No.

Mr. Charles Lewis.

5582. You said you believed that a large number of persons signed in favour of Sunday closing on the house-to-house canvass inconsiderately?—Yes.

5583. Was there no inconsideration on the side of the other signatories?—I could not give any reason for it; I believe everybody, even the servants in my own house, have signed it.

5584. Do you think that the persons who signed against it signed it equally in inconsideration?—I cannot say; I do not think they really considered the matter well.

5585. But you have arrived at the opinion that many persons who signed for it signed with inconsideration?—I know some of them have done so.

5586. Have you ever investigated whether the persons who signed against Sunday closing, signed so without due consideration?—No, I have not.

Mr. Richard Smyth.

5587. Were servants asked to sign the canvassing paper?—I was led to believe that they were; I believe there were cases of servants who signed in favour of Sunday closing.

5588. Are you aware that it was only the householders and room-keepers who were asked to sign that paper?—Ladies of families have signed it.

5589. Do you say that the servants in your own house signed it?—I am led to believe so; I was told so.

Chairman.

5590. Are you referring to the petition in favour of the Bill?—Yes.

Mr. Richard Smyth.

5591. You are not referring to the canvassing papers that were sent round?—No; I do not recollect having seen the paper, but there was some paper in favour of Sunday closing that was taken about from house to house.

5592. Was it a petition or was it a slip of paper left at the house?—No, it was a large paper, and it was taken away again by a man.

5593. Then the answer which you gave some time ago with reference to the canvassing paper was really with reference to a petition?—It must have been a petition; there was no paper left called for that I am aware of.

Chairman.

5594. Was no paper left and called for at your house?—No, I have not heard that there was any.

5595. Do you live in Limerick?—Yes, I live in Limerick.

Mr. Charles Lewis.

5596. We may take it that you know nothing whatever about the house-to-house canvass in favour of Sunday closing?—No, I do not.

5597. So



Mr. Maurice Brooks.

5587. So that if any papers were left in your house you, as the head of the house, never saw them?—No, I have not seen them.

Mr. Murphy.

5598. You stated that the only knowledge you had of some of the meetings that were got up in favour of Sunday closing was simply from a circular which you got asking you to attend the meeting?—Yes.

5599. Was that a printed circular?—I think it must have been.

5600. But the names were not familiar to you?—No, they were not, all of them; but there were names to it also, that I knew. I think Mr. Spillane's name, one of the witnesses here, was to it.

5601. But there were other names to it that were not Limerick people?—Yes, there were names to the paper that I did not know.

5602. Is it your opinion, generally speaking, that if total Sunday closing took place at once on Sunday in Limerick, it would cause inconvenience and be looked upon with dissatisfaction by the well-to-do people who attend public-houses on Sunday?—I think it would.

Mr. O'Shaughnessy.

5603. You said you thought that the body of the people were divided in opinion on this matter?—I think so.

5604. But at the same time you said that there has been no very strong expression of opinion on either side as far as you know?—As far as I know there has not.

5605. But that there is a strong slumbering opinion on the two sides, one against the other?—Quite so.

5606. Do you think that the body of the people, artisans, labourers, and those who would be affected by the Bill, believe that any legislation is likely, practically, to take place soon on the subject?—I do not think that they believe that at all; that is my opinion.

5607. You do not think that they realise anything like total Sunday closing as being probable?—That is my opinion.

5608. And do you not think that if they did realise the probability of total Sunday closing this slumbering opinion would find strong expression?—I think so.

5609. From what you know of the place, and that applies to a great many other parts of Ireland, do not you account for this apparent indifference by the fact that they do not believe in the immediate action of the British Parliament on matters of this kind which are agitated; that they feel as they do upon matters connected with tenant right and University education, that they are things which are spoken of for years and years before anything is done; is not that so?—I cannot say.

5610. If the three issues of the present state of things, partial Sunday closing and total Sunday closing, were laid before the people, from your knowledge of them do not you think that many of those who are now in favour of total Sunday closing will be satisfied with partial Sunday closing?—I think they would.

5611. And select that of the three issues?—Yes.

5612. To your knowledge, has that issue of partial Sunday closing been placed before them?

Mr. O'Shaughnessy—continued.

by petitions or by canvass?—I have never heard that it was.

5613. How long have you been in Limerick?—Nearly five years.

Mr. Law.

5614. Are the population of Limerick a particularly slumberous people?—Not at all.

5615. Do they indulge largely in slumbering feelings?—I cannot say.

5616. Are their feelings generally slumbering or are they effervescent?—They are more effervescent than slumbering, I think.

5617. I will not venture to ask you what you think of what other people think; you have been asked whether you do not think that the people of Limerick think that Sunday closing is improper, and you think that they think that partial Sunday closing would be desirable; is not your answer to that simply a reflex of your own opinion; that is to say, you think that partial closing would be preferable to total closing?—I am certain of it personally.

5618. Do you know as a matter of fact what the people think?—As to the great body of the people I cannot say what they think.

5619. Are you aware that there was a canvass paper sent round to the different houses in Limerick, to be signed as to Sunday closing in 1876?—I heard of it, but it never came under my notice.

5620. Were you in Limerick at the time?—Yes.

5621. Was not it the talk of the town?—It may have been talked of but it caused no excitement.

5622. Have you a distinct recollection of the circumstance being spoken of, and a voting paper being left at each house?—No, I have not.

5623. Were you in Limerick all last year?—Yes, except occasionally I have been away for a week or so.

5624. Did you hear at the time that there was this canvass going on?—I may have heard of it, but I did not pay any particular notice to it.

5625. You do not remember anything of the sort?—No, except this petition.

5626. Do you recollect having heard of it from anybody?—I do not remember anything of it except what I saw in the newspaper, and I do not think I ever heard any person speak of it.

Marquis of Hamilton.

5627. You stated just now in reply to the honourable Member for Limerick, that you thought the opinion of the people was, that no practical legislation on that question would take place; can you give any ground for this supposition on your part?—Merely that there is such apathy about it. If they thought that the question would be decided at present, my own belief is that they would have taken some action on it, for they are very excitable.

Mr. Bruin.

5628. Did you state what your opinion of the Sunday conduct in Limerick was; is it a sober city on Sunday?—I think it is.

5629. You, of course, have ample opportunities of judging, having been resident magistrate there for over four and a half years?—Yes.

5630. Do you consider that the publicans are a class who wreck their business so as to encourage intemperance on Sunday, or the reverse?—There are

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are a great many very low class public-houses in Limerick, a great many public-houses with a valuation under 10*l*.

5631. Do you think that the publicans as a class are rather inclined to encourage intemperance on Sunday?—I would not say that as a class they encourage it; individuals may.

5632. Are the publicans in Limerick, generally speaking, a respectable class of traders?—The great body of them are.

5633. But you make some exceptions?—Yes.

5634. Do you attend the licensing sessions regularly?—Yes.

5635. Do the magistrates on those occasions take into consideration the conduct of the publicans in the question of the renewal of their licenses, or in granting new licenses to persons who are brought before them?—Yes, generally their character is put forward before the magistrates.

5636. Is it the fact that a new license was granted to a person who was said to have been convicted of felony?—Yes.

5637. When was that?—I think at the recent Licensing sessions in October.

5638. Was a large attendance of magistrates upon that bench?—Yes, there was.

5639. I presume then that there was a difference of opinion about it; there was a division?—Yes, there was.

5640. Are you aware whether the law of England disqualifies a person who has been a convicted felon from holding a publican's license?—Yes, I am aware of that.

5641. But it is not so in Ireland?—It is quite so in Ireland; I forgot now the peculiar circumstances. The chairman of the county was there and the thing was argued by a solicitor employed by the applicant, and the chairman had some doubts that the man was not precluded by law from having his license granted. It is some time now since that individual case came up, and my memory is not very clear about it.

5642. But the result was that the license was granted to this person?—My recollection is that it was by the majority of the magistrates.

5643. Can you say how long the sentence had expired to which this person had rendered himself liable when he applied for the license?—I think that the ground put forward by his advocate why he should get it was because he had conducted himself so well for some considerable period after the expiration of his punishment.

5644. But I suppose that the law does allow persons of that character to hold a license, or else he could not be now a licensed publican?—I

Mr. Bruce—continued.

should say in his particular case it does, or the chairman of the county would not have granted it.

Mr. William Johnston.

5645. From the fact that the magistrates of Limerick have recently granted no new licenses, except six-day licenses, should you infer that the opinion of the magistrates of Limerick, the licensing body, was in favour of Sunday closing, as far as they could carry it out?—No, I account for the increased number of six-day licenses, by the fact that a couple of years or 18 months ago the magistrates came to a resolution of not granting any new licenses for seven days.

5646. Have you got any newspapers in Limerick?—Several.

5647. I suppose they contain usually a report of occurrences going on in Parliament?—Yes.

5648. And the people read them?—I suppose they do.

5649. Still they do not seem to have taken any very warm interest in this matter of Sunday closing?—I have no means of judging what the people think about it.

5650. I think you said that Home Rule was the only subject that they got excited upon?—There are two or three subjects that they are excited upon.

5651. Which would they prefer, a Home Rule candidate that was against Sunday closing, or a Sunday closing candidate that was against Home Rule?—I could not say that.

5652. Perhaps they are waiting until the consideration of the subject shall come before a Parliament in Dublin; do you think that is so?—I cannot say.

Mr. O'Shaughnessy.

5653. Do you know what the nature of the felony was of which the man was convicted?—Arson, I think.

5654. The chairman was not at all clear that the law would forbid the magistrates to grant the license?—At one time he was not clear about it; but I forget what the final decision was about with reference to that.

5655. He expressed no disapproval of their decision, did he?—At first he did.

5656. But not subsequently?—Not that I am aware of.

5657. With regard to the six-day licenses, have not the magistrates ceased to enforce the rule that applicants must be content to take six-day licenses?—Yes, they have ceased to enforce it.

5658. They have gone back now to granting seven-day licenses?—Yes.

Tuesday, 24th April 1877.

MEMBERS PRESENT:

Sir Michael Hicks Beach.  
Lord Charles Beresford.  
Mr. Maurice Brooks.  
Mr. Bruen.  
Dr. Cameron.  
Marquis of Hamilton.  
Mr. Ion Hamilton.  
Mr. William Johnston.

Mr. Law.  
Mr. Charles Lewis.  
Mr. Marten.  
Mr. Murphy.  
Mr. O'Shaughnessy.  
Mr. Richard Smyth.  
Mr. Sullivan.

THE RIGHT HONOURABLE SIR MICHAEL HICKS BEACH, BART., IN THE CHAIR.

Mr. JAMES SPAGHT, called in; and Examined.

CROSS-EXAMINED.

5659. I BELIEVE you are Mayor of Limerick?—I am.

5660. And have been a long time a member of the town council?—A great many years.

5661. And at one time you represented Limerick in Parliament?—Yes.

5662. Have you turned your attention to the question of the total closing of public-houses on Sundays?—I have.

5663. Do you think that total closing could be adopted in the city of Limerick?—Not, I think, without great public inconvenience; and I think that it would not succeed in the purpose for which it is nominally intended.

5664. Of what nature would be the inconvenience?—I think that Limerick is too large a community to be entirely deprived of the means of obtaining refreshments on Sunday. Limerick is a great centre for excursionists. Throughout the whole of the finer part of the year almost every Sunday there is some excursion that comes from the neighboring large towns into Limerick, and I think that to them it would be a matter of very great inconvenience and hardship.

5665. You think that in dealing with this matter the fact of the crowded population in a city like Limerick, and the low-class tenements that many of them have to inhabit, must be taken into consideration?—Yes.

5666. Do not many of the poorer classes in Limerick live in very wretched houses?—The very lowest class live in a very miserable class of houses.

5667. Is the Bill before the Committee it is proposed that the public-houses should be totally closed on Sundays, but that *board* side travellers should be allowed to obtain refreshments; what in your opinion would be the effect of that in Limerick?—I think that a very large class of the citizens of Limerick would have their liberty unfairly constrained by any enactment of the kind; and I believe that it would have the opposite effect from what is intended by driving those who want drink into the low, bad class of houses where they would get drink illicitly, and that it would also encourage, perhaps, the latter class to provide themselves with what they think

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they would require on the Saturday, and by that means possibly disseminate the seeds of intemperance amongst the members of their families.

5668. Looking at the large number of excursionists coming into Limerick, of whom you have told us, supposing the *board* side travellers could obtain refreshments in the public-houses, their wants would be satisfied, would they not?—Yes, I believe they would; at least I am not aware exactly, of course, what forms it would be necessary for them to go through in order to prove the *board* side character of their being travellers; but I think that all the wants of the case would be met by a further restriction of the hours on Sunday, and earlier closing on Saturday nights. From all the opinion of those whose opinions are valuable, that I have been enabled to get upon the subject, the general feeling seems to be that an earlier closing on Saturday night, and a restriction of the opening on Sunday to a couple of hours, say in the afternoon, would be the proper way of meeting all the views of the case, and putting a stop to intemperance amongst the working people. Latterly we have got a new system amongst the working people of ceasing labour at an early hour on Saturdays, giving them much more idle time on the Saturdays; and I believe that most of the Sunday drinking is begun on Saturday night.

5669. You have had a good deal of experience, I presume, on the bench as a magistrate of Limerick?—Yes; I have been a magistrate for a great many years, and I am also a large employer of labour myself, so that I have had full opportunities of observing.

5670. We have had statistics placed before us as to the comparative number of arrests for drunkenness on Sundays, and on the other days in the week; does your experience bear out these statistics, from which it would seem that there are fewer arrests on Sundays than on other days?—Yes, and I think that these arrests would be still lessened by the earlier closing on Saturday night.

5671. At what hour do you think that the public-houses should be closed on Saturday night?

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*Mr. Spaight.* night?—I would not leave them open later than 6 in winter and 7 in summer.

5672. Have any of the public meetings that have been held in Limerick on the subject come under your notice?—No.

5673. Or any of the proceedings of the Sunday Closing Association house-to-house canvass, or procuring petitions to Parliament?—No, none of them have come under my official notice; but I have not very much faith in those meetings and petitions, because they can be all so managed and manipulated by a few individuals who take the trouble to get up those things. There has been no what I could call demonstration of public feeling upon the question. I have not been called upon to hold any meeting.

5674. Do you live in the city of Limerick yourself?—I live in the city.

5675. Was a canvassing paper on the subject left at your house?—I received a great many papers on the subject.

5676. Was a canvassing paper asking you for your opinion upon the question of total Sunday closing left by the Association at your house?—I do not recollect. I received some communication from the secretary of the society, I think, to attend a meeting, and I told him that I thought my views and his did not correspond, and that if he had known that he would not have invited me.

5677. You do not remember to have signed a paper expressing your views upon the subject?—I do not.

5678. Nor did you sign one?—I do not recollect.

5679. Do you think, so far as your experience enables you to speak, that the people of Limerick who really use the public-houses have had the question of total Sunday closing practically presented to them as a matter likely soon to come into effect there?—I think that they have discussed the question amongst themselves, and many of them have expressed opinions to me upon the subject; I mean of the trading and artisan class.

5680. Some persons in your own employ, do you mean?—Yes, and others.

5681. And have those opinions tallied with what you have expressed yourself?—Yes.

*Mr. Richard Smyth.*

5682. You have said that a great many of the houses of the people in Limerick are of a wretched character?—Yes; unfortunately a great many are.

5683. Do you think that their going to a public-house on Sunday afternoon or evening is a desirable refuge from a wretched home?—No, I will not say that I do; I do not think so.

5684. You would not advocate the working people who have uncomfortable homes going to the public-houses in order to get comfort there, would you?—No; I would afford them no extra inducement to go there, but I would prefer their having drink if they wished in a public-house, rather than be driven to some obscure den, or to bring drink to their own houses.

5685. You would not allow women living in uncomfortable homes to go to a public-house, would you?—No.

5686. You make a distinction then between a woman and a man?—Yes; I think it is worse

*Mr. Richard Smyth—continued.*

and more unhappy to see women frequent public-houses than men.

5687. Do you not think that a woman deserves to have her comfort considered by going to a public-house, so well as a man?—I think that, as a general rule, very few women with us frequent public-houses.

5688. And they have no desire to go to the public-house to get comfort?—No; not as a general rule. It is very unusual.

5689. Notwithstanding the wretchedness of their homes?—Yes.

5690. You have said that you would fear that, by the total closing of the public-houses on Sunday, intemperance would be promoted in the families of the poor by bringing in drink?—I said that the seeds of intemperance might be disseminated in that way that would produce results at some future time.

5691. Would not that danger apply as much to small communities as to large communities like Limerick?—It might, but not to the same extent.

5692. Then it would be a mere matter of degrees?—Yes.

5693. Do you not think that people would be considerably inconvenienced by early closing on Saturday?—No, not if it were known, because after the work hours, all the artisan class now have ample time to provide themselves with comforts and necessities for their homes.

5694. Your opinion is that two hours in the afternoon of Sunday would be sufficient to keep the houses open?—Yes.

5695. What would the people do at the termination of those two hours; supposing you open the public-house from two to four, would you think that they ought to go back to those wretched homes, and spend the whole afternoon and evening, after four o'clock, in those uncomfortable homes?—I think that the authorities are bound in every way they can to provide rational recreation and enjoyment. In Limerick they are now about to establish a people's park, and I think that they should encourage rational recreation for those people, as much as they can, with a view of occupying them and amusing them.

5696. But until that is done, what will you do for the comforts of the people from four o'clock till they go to bed on Sunday night?—I am not specially called upon to do anything for them, more than to advise them to be orderly and quiet.

5697. But do you think that those two hours will be sufficient compensation for their wretched homes on the Sunday afternoon?—I think that the two hours would be sufficient for them to provide themselves with any necessary stimulants or comforts or necessities, whatever they may choose to call them, and I would limit the power of over-indulgence to that extent.

5698. But do you mean that the stimulants which they would get during those two hours would produce in them such power of resistance to the wretchedness that they would not feel it during the rest of the evening?—I suppose so. It would make them feel more comfortable, possibly.

5699. They would become rather insensible to the wretchedness of the remainder of the day?—I would trust that reasonable indulgence would not produce any insensibility.

5700. But

Mr. Richard Sayth—continued.

5700. But it would produce such a sense of comfort that they would not feel any external discomforts?—To some it would.

5701. You have said that in conversation with the artisan classes you have found that they agree with you in opinion about the Sunday closing of public-houses?—I think that the majority of them do.

5702. And that they would be quite satisfied with two hours?—I think they would prefer the two hours to a total closing.

5703. Have they expressed any opinion directly on the question of limitation?—Not collectively.

5704. But in conversation with you, have they?—Yes.

5705. Alderman Cleary stated here that a great many drunken people were usually seen on Sunday evenings in the streets of Limerick, and yet we find a small proportion only of those persons arrested; can you account for the limited number of arrests on Sunday evenings, notwithstanding the large amount of drunkenness?—But I do not admit the large amount of drunkenness. My experience has been quite the contrary. I think that Limerick is particularly free from drunkenness on the Sunday, morning and evening.

5706. You think that both Alderman Cleary and Mr. Spillane are mistaken in saying that the drunkenness prevails on Sunday evening?—Yes, I do. According to my experience I do not think it is so.

5707. Mr. Spillane was asked this question, No. 5408: "Mr. Alderman Cleary gave evidence here to-day, that the state of the city on Sunday evenings after 9 o'clock was anything but satisfactory as regards drunkenness; how do you account for the fact, that notwithstanding there are fewer arrests on Sundays than on other days in the week?" and Mr. Spillane replied: "I think is very easily accounted for. The police do not arrest every one that they see drunk, nor do they arrest one-half of those that they see drunk; so long as a man does not make a disturbance in the street, he would not be arrested if he were able to go home at all, or if he be in charge of any friend who is sober, he would not be interfered with. I maintain that the arrests for drunkenness do not prove the amount of drunkenness." This is Mr. Cleary's answer to which I referred. Question 5614. "Could you describe what is the condition of the city on Sunday?—A. The city is very peaceable on the whole. We have very few of what we might call riots there; it is a very peaceable city on the whole, except when the public-houses are closed at 9 o'clock at night; there are generally rows in the street then; immediately after they are turned out the people get quarrelsome with each other. The row originates in the public-house, and then they come outside and give the police a great deal of trouble sometimes on Sunday evenings;" do you agree with him?—No.

5708-9. Q. What is the condition of the people who engage in those rows at night?—A. They are all the lower classes; generally the poorer classes. Q. Are they sober?—A. No, they are very utterly always drunk when they come out of the public-houses. They go in at an early hour in the evening and they do not leave until the public-house is closed." Do you agree with that?—I do not. My experience has been

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Mr. Richard Sayth—continued.

that Sunday has been a particularly quiet day in the streets of Limerick, and it is a very rare thing indeed to see any one under the influence of drink.

5710. Mr. Spillane at No. 5408, was asked this question, "So that you think that there is really no inconsistency between the number of arrests on Sunday and the facts which have been stated here, that on Monday morning a great number of the working classes are unfit for their work on account of drink?" and he says: "No inconsistency whatever." Then at No. 5411, he is asked, "How do you account for that?" to which he replies, "The wives and friends of those people go in with them to the public-house, and if three or four go in together they will not all get drunk, and if one man gets drunk the two or three other sober men will take him home. If a man goes in during the dinner hour upon a week day and gets drunk at a public-house, there is no one to look after him; he would not have a friend with him so convenient, and he comes out and is seen helplessly drunk, or makes a noise in the street, and he is immediately arrested." Do you agree with that evidence?—No.

Mr. O'Shaughnessy.

5711. You believe, as I understand, that closing on Sunday, except for two hours, would virtually produce all that is sought to be accomplished by total Sunday closing?—Yes.

5712. And in addition give the people an opportunity of getting drink outside their houses, and avoid the temptation of making them bring it home?—Yes.

5713. Do you agree with the evidence which was given the last day, that the habit has sprung up amongst the people of bringing home beer for dinner?—Not to my knowledge.

5714. The honourable Member for Londonderry asked you whether you would give those people that two hours in a public-house as a compensation for their wretched homes. Was it as a compensation for their wretched homes that you mentioned the two hours?—No.

5715. Is not there a movement on foot in Limerick to compensate them for their wretched homes by building them better ones?—Yes.

5716. As I understand you, you would give them the two hours for the purpose of enjoyment quietly without excess, and getting what they want to drink?—Yes.

5717. From your experience of the labouring people of Limerick, do you think there would be any danger of a man falling into a day's drunkenness from the opportunity of getting drunk for two hours?—I think it would be very much diminished.

5718. There still would remain, as you say, some danger?—Yes.

5719. But setting that danger against the greater domestic danger from total Sunday closing, which do you think is the greater?—I think that the danger of domestic drinking, and of drinking in such horrible places as they would be driven to drink in, is far the greater danger.

5720. As regards the women, is drinking common among the lower classes of women in Limerick at present?—Very uncommon, except amongst the abandoned class of women.

5721. And they do not frequent the public-houses?—No.

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5722. The

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5722. The danger then would be that if the public-houses were closed their husbands would bring home liquor?—Yes.

5723. And they might be tempted to excess?—Yes.

5724. And there is no such danger at present?—No.

5725. You suggested the hour of 6 o'clock in the winter and 7 o'clock in the summer for closing on Saturday evening; do not you think that this hour would rather interfere with the opportunity of the poor people for making their purchases in grocers' shops which are whiskey shops; do not you think that the hours are a shade too early?—It is possible; from 7 to 8 o'clock would possibly effect a great improvement.

5726. You have not considered that matter accurately?—Not very accurately, certainly.

5727. But you are speaking strongly in favour of Saturday closing?—Yes, of early closing on Saturday, and I would encourage them as much as possible to effect their purchases early, because the grocers' shops now, a great many of them, are also dram-shops, and I think the earlier they were closed on Saturday, consistent with general convenience, the better.

5728. You say that you have attended none of these meetings; of course you have seen the reports in the papers?—Yes.

5729. Have you ever seen the question proposed to the people whether they would have the present state of things, or total closing or partial closing on Sunday?—I have already stated that I have never had an opportunity of getting the opinion of the people collectively upon these points.

5730. That is to say, the association has never given the people, to your knowledge, an opportunity of deciding between total and partial Sunday closing?—No.

5731. Do you believe, from your knowledge of the artisans, that if they did get a choice between total restriction, and opening on Sunday, say for two hours, the public would be strongly in favour of restricted Sunday closing?—Unquestionably.

Mr. Murphy.

5732. You said that you did not attach very great importance to the requisition got up by parties going about canvassing or getting signatures?—I did not attach importance to meetings.

5733. Do you believe as a matter of fact, generally speaking, that the majority of the working classes are intemperate?—I do not.

5734. Then it is a mere minority?—Certainly.

5735. Is your experience sufficient to enable you to say that the cases of insanity for drunkenness arise rather from the class of habitual drunkards than from the general body of artisans and labourers?—I think so.

5736. Do you therefore see any reason for passing a restrictive sumptuary law affecting undoubtedly the majority of the people, merely for the experimental purpose or chance of correcting that minority who desire drink?—I see no reason, and I think it would be unwise to do so.

Mr. Sullivan.

5737. You have just been asked if you see any

Mr. Sullivan—continued.

reason why a sumptuary law as called by the honourable Member should be passed to constrain the minority when they desire drink, and you say you do not?—Yes.

5738. You do not think that there should be?—I do not.

5739. Do you restrain them then after 11 o'clock at night?—Yes.

5740. Why do you, if your answer is correct?—Because it becomes then a matter of public inconvenience to have those houses of business carried on after that hour, when the whole of the public retire to rest.

5741. Then your previous answer is not correct, that you think it wrong in principle to put a sumptuary law in force?—I think there is a very marked distinction between the two.

5742. Only in application, but you are averse to it as a matter of rule?—Perhaps, in the abstract; but the meaning of the question that was put by the honourable Member, as I understood, was as to the matter of expediency.

5743. The question was put to you whether you thought it was correct or right, that because of the drunkenness of the minority the majority, who were not drunk, should be restrained by a sumptuary law; do you think it is right or wrong?—I think it would be wrong to restrain people.

5744. Then why do you restrain them after 11 o'clock? Do not you apply the principle after 11 o'clock?—No; I think that then another principle comes into action: that is the general order and quiet of the community.

5745. But that is not the ground upon which further restriction is sought?—Not altogether.

5746. But if it were sought upon that ground then you would assent to it?—Yes.

5747. Then you think that if the general good order and peace of the community would be served by putting this sumptuary law (I do not call it a sumptuary law) in force you would be for having it?—Yes.

5748. Do you think that the public-houses ought to be left open in Limerick for some time, because the people have no places of enjoyment out of their wretched homes?—That is not the reason.

5749. Did I understand you to say that the wretchedness of their homes was one reason?—I think that the great majority of those who do not drink to excess ought to have an opportunity of reasonable refreshment if they find it necessary on Sunday, and for a limited time.

5750. How long does it take a man on an average to get drunk?—A good deal depends upon the amount he drinks.

5751. We come now to the number of hours that you would leave the houses open. You would not leave them open long enough for him to get drunk, would you?—I cannot answer that question, but I would lessen the opportunity.

5752. At what hour would you close them on Sunday evening?—I would close them at four o'clock.

5753. What opportunity do you give a man to get drunk or refreshment after four o'clock who could not go before?—I give him no opportunity.

5754. Is not that a sumptuary law?—I have not exactly dissected the meaning of the abstract principle of a sumptuary law, but that certainly is a restriction which I think would be a whole-  
some

Mr. Sullivan—continued.

same one to put upon those who are in the habit of over-indulgence.

5755. Would you shut them up after four or five o'clock, even although it is only the minority who get drunk?—Yes, I would.

5756. Then there is no great difference between you and the promoters of the Sunday Bill?—I hope not.

5757. You are leading merchant and magistrate of the City of Limerick, and a large employer of labour; have you taken a very deep interest in this question?—Yes, and have always considered it a very important question.

5758. Have you studied it very closely with a desire to see whether it could be for the good of your people?—I have always given it a very serious consideration.

5759. Have you made any inquiries into the working of the system in other countries?—I do not know that I have very closely.

5760. Have you made any inquiries as to the success of the system in other parts of Ireland?—Not minute inquiries.

5761. Does not it occur to you as a gentleman of high intelligence, that if you made a study of the question at all, that is about the first thing you would do, viz., find out how it worked elsewhere?—I never devoted myself very particularly to the study of the question, I acknowledge, beyond what came under my own observation, and my general wish for the improvement of the people, particularly of my own people.

5762. Will you tell me whether the influential and wealthier class in Limerick to whom you belong have done their duty by the working classes in providing them with innocent recreations, and opportunities outside the public-house hierarchy?—I would rather not be called upon to pass judgment upon them.

5763. I want your opinion as it bears upon the proposed exemption of Limerick; what have you done?—I have already stated that there is a movement on foot to establish a park.

5764. Is not that since the Sunday Closing Association started?—No, I think not; I think it has been mooted for years. There were a great many difficulties in the way at first, but it is a great many years since the necessity of a people's park was felt, and it was only very lately that we have been able to bring it to a practical conclusion.

5765. Will you tell me when the first practical step was taken?—A great many years ago.

5766. What step was that, and when?—I really cannot fix the date, but I know that it has been a question of public concern for a long time.

5767. When was the first practical step; when was the 100*l*. or 1,000*l*. subscribed either for a public park or for workmen's dwellings; let us see whether it was before or since the Sunday Closing Association?—I cannot fix the date, but I know that it is a matter which has occupied the attention of the people in Limerick for a long time, the necessity of providing healthy recreation for the people.

5768. I could refer you to Arthur Young, who lived 100 years ago, and could tell you that as a matter of sentiment, but as a matter of practical action, what have you and the large wealthy employers of Limerick done in that direction, in 1849.

Mr. Sullivan—continued.

the way of putting down money to do it?—We have subscribed the necessary funds.

5769. Since when; is it since the Sunday Closing Association?—Yes, I think it was, but that makes no difference whatever to it.

5770. Have you a very strong opinion as to the desirability of shortening the hours on Saturday and Sunday?—I have.

5771. Is it very strong?—It does not run away with my feelings.

5772. When did you first express that opinion publicly; has it been since the Sunday Closing Association?—I think it was to-day; that is the first time I have expressed it publicly.

5773. Could you refer me to any endeavour made by gentlemen like yourself in the City of Limerick, to shorten the hours of liquor trading on Saturday or Sunday, until the Sunday Closing Association?—No.

5774. You spoke of public meetings being manipulated by a few individuals who get them up; I merely put the question to you, because I know that you would be glad of an opportunity of guarding yourself from being misunderstood in Limerick; considering the character of the persons involved in this movement, what do you mean by manipulating?—I mean to say that the persons who are anxious to carry out any view, or project, or anything of that kind, ascertain those who are likely to agree with them, and to collect them together, and of course to form in that way a strong opinion as they can.

5775. They do not invite others when they do not agree with?—I think the general practice is to go amongst those who are favourable to the views which they wish to promote.

5776. Did not I understand that you had been invited?—Yes, I got a letter, not the letter to which the honourable Chairman alluded, the voting paper; I do not recollect that.

5777. I am talking of invitations to those meetings, which you say are manipulated by inviting only those who are favourable; how does that corroborate your answer?—Because I got no repetition of the invitation.

5778. Was not that because you refused to go there?—No; because they ascertained the reason that I was not favourable to the rigid carrying out of the closing principle, I got no further invitation.

5779. When you are yourself promoting a meeting to carry any subject, do you invite its opponents; suppose you wanted to get up a subscription for the Church Sustentation Fund, would you invite me, a Roman Catholic, to it?—I have not the honour of your acquaintance, but I would certainly limit the invitations to those who I thought felt a sympathy and an interest in the movement.

5780. Would you call it manipulating a meeting for promoting a church sustentation fund, by inviting its friends or presumed sympathisers?—Yes, I would; I did not mean it in any offensive sense; I never intended to put it in any sense that would hurt anyone.

5781. Do you know the present esteemed Bishop of Cashel, Dr. Daly?—Yes, well.

5782. Was he not universally respected in your city?—Very much so.

5783. Is he not respected still?—Yes.

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5784. Both

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5784. Both by Catholics and Protestants?—Yes, I believe so.

5785. He used to interest himself largely in this question, did he not?—Yes, I think so.

5786. You do not think, do you, that he would manipulate a meeting in any unfair or tricky sense?—I have already said that I did not use the word in any offensive way or wish to hurt anyone, but it was my expression for the word managed the meeting.

5787. Supposing you found that Sunday closing was a very great success in other places, would you have any objection to have Limerick try it as an experiment?—If I was convinced that the views which I hold are wrong, of course I should be glad to follow that conviction, whatever it might be and however it might be produced.

5788. I hope you are going on very actively with the workmen's dwellings?—Yes; that is no doubt under consideration.

Mr. O'Shaughnessy.

5789. With regard to the wealthy classes having done their duty by the poor, you know other cities in Ireland of the same size as Limerick; have they not done as much in

Mr. O'Shaughnessy—continued.

Limerick as in any other city?—Yes, I believe they have.

5790. Is not it a fact that this people's park was got up, not for the purpose of any temperance movement, but as a memorial to the memory of Mr. Richard Russell?—Partly that.

5791. Does that fix the date; when did he die?—I think Mr. Russell died about 10 years ago.

5792. And then the thing began?—Yes.

5793. Is it not so that this attempt to get up the park, which is now on the point of completion, is participated in by the very same class of people and by the very same men that are interesting themselves most in the temperance question?—Yes.

5794. And therefore it is not an attempt by one class to substitute enjoyment for the people as a set-off against the temperance movement?—No.

5795. With regard to manipulating, whatever the meaning of that word was, I take it that you applied it to those who came down to Limerick for the purpose of getting up meetings, and not to the citizens of Limerick?—Yes.

Dr. JAMES O'SHAUGHNESSY, called in; and Examined.

Mr. O'Shaughnessy.

Dr.  
O'Shaughnessy.

5796. You live in Limerick, do you not?—Yes.

5797. And you have lived for some 30 years in that city?—Yes, more than that.

5798. Are you a magistrate of the city?—Yes.

5799. You gave evidence in the year 1868 before the Select Committee, on the Sale of Liquors on Sunday (Ireland) Bill?—Yes.

5800. You were asked at Question 3332: "Would you intend that" (that is total Sunday Closing) "also to apply to the City of Limerick?" and you say, "Yes; it would perhaps be difficult to carry it out without additional powers and perhaps without an increase of public expenditure, but I think it could be carried out, and I think it would be exceedingly beneficial to the condition of Limerick that it should be carried out;" I think you gave that evidence?—Yes.

5801. Do you still hold to that opinion?—I adhere to the opinion that it would be extremely difficult to carry it out.

5802. Do you adhere to the opinion that it would be advisable that the total closing of public-houses on Sunday should be carried out now in Limerick?—I think it would be a very good thing to have total Sunday closing, but by no means unless you have Saturday night closing also. I believe that since I gave that evidence circumstances have arisen which would make it in my mind desirable not to close altogether on Sunday, because I have had more connection and more association perhaps with the poorer and humbler classes than most men in Limerick, and I believe that the habit of bringing home beer on Sunday for drinking, as is done in London and in the English towns, is becoming much more the habit in Limerick than it was when I gave that evidence.

5803. What kind of drinking do you mean on Sundays?—I mean drinking ale and porter for dinner, which are now more used in Limerick. I

Mr. O'Shaughnessy—continued.

suppose there is scarcely a brewer in Ireland who is not represented in Limerick at present.

5804. What bearing has the habit of bringing home beer on Sunday on the question of total closing of public-houses; why has it made you alter your opinion?—Because I consider it a most dangerous custom and a most perilous thing to give the people who have now got the habit of bringing drink into their houses, the opportunity of bringing whisky and increasing the quantity of home drinking which I think is very likely to arise.

5805. Has that habit grown up since you gave your evidence?—It has.

5806. You think that total closing would increase the danger of illicit drinking?—I do.

5807. Do you think that that danger would be greater now than it was in 1868?—I do.

5808. Why?—In the first place the public-houses have increased very much since 1868. I should say that they have increased at least 100, or perhaps more, since 1868, and I think that that is a very strong reason for it; indeed, one of the strongest reasons.

5809. Has the number of police been increased or diminished since 1868?—I think thereabout the same.

5810. You said something about Saturday evening; is there much drinking on Saturday evening in Limerick?—A great deal.

5811. Is this as much as on Sunday?—Yes, considerably more.

5812. Can you speak as to the comparative state of the streets on Sunday evening and on Saturday evening?—Yes, I can speak with great confidence on that, and I regret to say that I can speak from experience, because I go out very late at night, very often in company with the constabulary on Saturday evening, and I have continually done so on Sunday; and from my experience, whatever the relative amount of convictions



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convictions may be, the drinking on Saturday night is considerably greater than on Sunday.

5813. Supposing that you closed the public-houses on Sunday without closing the public-houses on Saturday evening, bearing in mind the enormous drinking on Saturday, what effect do you think that the total closing of public-houses on Sunday would have upon the people?—I think it would lead to drinking in their homes; having commenced to drink on Saturday, they would be likely to continue drinking.

5814. Is there much home drinking now in Limerick?—I do not think there is. I never heard the police say so, nor have I found it myself.

5815. Do you also think that it would lead to the increase of illicit drinking?—I do.

5816. The proposal before the Committee, in 1868, I gather from a question of Mr. Murphy to you (Q. 5379), "You are aware that the object of this Bill is to allow spirits to be sold during certain specified hours, but not to be consumed on the premises." The object of that Bill was to allow spirits to be sold to be consumed, not on the premises, but presumably in the houses?—Yes.

5817. What was your opinion about that proposal?—I looked upon it as perfectly Utopian and perfectly useless, and that the men who were going to do so would drink, notwithstanding the effects of the owner of the house, or his own determination, when he once went in.

5818. Do not you think that that proposal would have had the effect of inducing many people to bring home to their own house whisky, which they were not allowed to consume on the premises?—Yes, certainly.

5819. With regard to excursionists, in Limerick a great place for excursionists?—I remember when there was no such thing; but now it is very much so.

5820. Do not you think it desirable that there should be legitimate hours chosen with regard to the hours at which excursionists arrive, during which excursionists could go to public-houses, and obtain refreshment?—I do.

5821. You know what a *bona fide* traveller means?—Yes, I do.

5822. There is always considerable danger, in there not, that a person who is not a *bona fide* traveller may palm himself off as such upon the publican?—Yes, certainly.

5823. Supposing that you have the houses closed all day, and the excursionists coming at all hours of the day to the closed houses to get drink, will there not be a greater chance of persons palming themselves off as *bona fide* travellers than if the houses are legitimately used at certain hours which are likely to be suitable for *bona fide* travellers?—It is extremely difficult, for I have gone into the diocese of Cashel myself, into the small towns, to see how the system was worked; and I have gone to the houses of publicans for the mere purpose of seeing how the thing was carried out, and I found it extremely difficult, from having no house open at all, to know whether I was a *bona fide* traveller or not. That merely occurs to me as arising out of your question. I am speaking now of small towns such as Cashel, Cashel, and Thurles.

5824. In the year 1868, in one of your

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answers, you stated, did you not, that you considered that the towns of Cork and Belfast would be too large to apply this total Sunday closing to?—I forget whether I stated that or not, but I should say that that would be my opinion. I should have included Cork, Dublin, and Belfast.

5825. You think that the element of size in a town should be considered in a matter of this kind?—I do.

5826. Has anything taken place in Limerick since then to increase the difficulties which you believe exist in large towns generally?—In the first place, that was in the year 1868, and my belief is that in the year 1877 the people would feel it to be what, perhaps, should not be properly called class legislation, but I believe that the people of Limerick would not now be so submissive to an order or a rule on that point as they were in the year 1868. In the first place I believe that, and secondly I believe that the very fact of excursionists, and a variety of things have arisen since to change my opinion, and that I would now include Limerick with the other three cities which I included on that occasion as not being proper for total Sunday closing *de se*, particularly if you do not legislate for Saturday nights.

5827. Do you remember attending a meeting at the Treaty Stone, I think in the summer of 1874, on the subject of temperance?—I remember attending a meeting, not for Sunday closing, and I remember making a few observations as to temperance generally.

5828. Was that meeting held for Sunday closing or for temperance generally?—Certainly not for Sunday closing.

5829. Was Sunday closing on that occasion alluded to there?—I do not think it was; at least, if it was, I took no part in it.

Mr. Richard Smyth.

5830. Are you aware of the opinion of the Catholic and Protestant Bishops of Limerick on this question?—I never spoke a word to Dr. Graves or to Dr. Butler on the subject. I heard it stated that Dr. Butler had signed a paper with regard to it, but I have never spoken to Dr. Graves nor Dr. Butler upon the subject: I have spoken to several of the Catholic clergy on the question both in Limerick and out of Limerick.

5831. Are they not generally in favour of total Sunday closing?—I do not think so. I think they would look upon it, as I said before, as a most perilous undertaking; and to tell you what I mean, a clergyman in Limerick, who was the prime mover in temperance, and who is really the man whose Sundays are spent in efforts connected with temperance societies, has a very strong opinion as to the non-desirability of closing altogether on Sunday; I may tell you that as a fact.

5832. Do you think that a change of opinion has taken place amongst the Catholic clergy lately on the question?—I do not know about that. I do not know what their opinions were three years ago or five years ago, nor have I observed what they have spoken or written upon the subject; but I tell you the result of my inquiries since this Sunday closing matter arose before this Committee. I have spoken to a good many of them on the subject since then.

5833. Do you think that the prevailing opinion

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of the clergy and laity in Limerick is against the application of this Bill for total Sunday closing to Limerick?—I have not been asked that before with regard to the laity and clergy. I really cannot say. Several people that I have spoken to have expressed themselves extremely doubtful on the matter; but most people are of opinion that the total closing on Sunday in the city of Limerick would be extremely inconvenient, and that it would be very likely to lead to increased illicit drinking. Very strange examples have been given to me by some of them. I spoke to one very intelligent man in the city who takes a deep interest in everything connected with the condition of the people, and he told me that for the last five years, during which he has been living altogether in Limerick, he has, for convenience, been sleeping and dining (he is not a married man) in public-houses or in grocers' houses; and he thinks that very many more barrels of beer and porter are emptied at illicit houses on Sundays, or at least at hours when opening is not allowed, than at any other time. He mentioned that to me as an instance of the danger of closing altogether on Sundays.

5834. Do you think that the jealousies of the lower classes with regard to the higher classes in Limerick have increased within the last nine years?—No; I would not say that, by any means.

5835. You do not think that there is any greater jealousy of the upper classes existing amongst the lower classes in Limerick than there was nine years ago?—I think not. I may tell you that in addition to the facts which I have mentioned, there are religious societies which have sprung up in Limerick to a great extent since I last gave my evidence. For instance, there is a society called "The Holy Family," and there are 3,500 persons in that society, who give a very healthy tone to their neighbours. The clergyman who has charge of these men preach continually on the duty and advantage of sobriety, and they continually call upon them to advise their neighbours, and I believe, as a matter of fact, that they do so, and that it has a very salutary effect on the city, and that those men do not now, on that account, require to be shut out altogether on Sundays from having a certain amount of accommodation in that way.

5836. In 1868 you were asked at Question 2388 whether you thought that the lower classes of people, "seeing that in Limerick the gentry have a club-house to go into, and reading-rooms and billiard-tables, where they can get refreshment, there would be a jealousy among the lower classes if they found that the classes above them had privileges that they would not enjoy themselves;" to which you replied: "I do not think so; I do not think that the poorer classes of Limerick would feel that there was class legislation, if we may call it so, because the members of the Limerick Club were allowed to enjoy themselves; I do not think that they would have the least feeling about it;" I presume you would not give that answer now?—No; and perhaps you will allow me to tell you why I would not. In the first place; just as men are allowed to change their political opinions and all other opinions that they adopt one year, I think I am at liberty to change my opinion upon the subject; and I will give you my reason, which, I think, I have

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already given, and that is that the people of Ireland generally, and of Limerick particularly, are really a little more watchful of their interests, and they are more likely to disapprove of class legislation now than they were in the year 1868; and on that account I think it is very likely, and that I have a right to change my opinion as regards what they would feel about the club-houses and the keepers of hotels.

5837. Do not suppose that I am implying any reproach at all upon you for changing your opinions; what we want to get is the change of opinion, if there is any, amongst the lower classes?—My opinion is that they would feel it now more than they did then.

Mr. Newries Brooks.

5838. Can you say from your experience as a medical man that the drink obtained in illicit houses is more or less pernicious than that obtained in the licensed houses under the supervision of the police?—I can speak both as a magistrate and as a medical man upon the subject, that the drink sold in them is very bad, and, of course, drinking it must be injurious to the health of the people.

5839. And you think, I presume, that its bad effect upon the health of the people is in itself a reason why houses duly licensed or supervised by the police should be provided for the persons who desire alcoholic refreshment?—I do, of course.

Mr. Murphy.

5840. You mentioned that you had been in some counties where the voluntary total closing principle exists?—Yes, in some of the towns in the one county of Tipperary.

5841. You are aware, of course, that that closing is voluntary on the part of the publicans?—Yes, quite so.

5842. You are aware also that that effect has been produced by the exhortations of the bishop and the clergy upon the people who, according to those exhortations, have voluntarily closed their houses?—Yes, quite so.

5843. Have you had any opportunity more than in passing as you have said, of testing what the practice is with regard to travellers in those places?—Nothing more than I have stated, that if people are known to be travellers, that is to say, coming from a distance, I think it would be three miles, they get refreshments.

5844. I am talking of the action of public-houses which are voluntarily closed; would any person who comes there and who is a traveller, get refreshment?—They will inquire as they did in my case and they will give you refreshment, but they point out to you immediately what the law is.

5845. That is to say, their law?—Yes, their law.

5846. Do you think that if a compulsory Bill such as this was passed the same objection, I do not mean the same amount of objection, but the objection in principle would exist in all other urban constituencies as well as in Limerick, say in towns of 10,000 to 12,000 inhabitants?—I do not think that in the small towns there would be no resistance to it; in fact, I consider it to be extremely beneficial in the small towns.

5847. There would not, you think, be much evasion?—No; really the greater amount of the drinking

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drinking in small towns be by those who come in from the country into a town of 3,000 or 4,000 people. It is not the people of the town who really do the harm, it is the country people who come into the town on Sundays.

Marquis of Rossmore.

5843. I think you stated in your evidence in the year 1868, that you were in favour of total closing?—I forget what I said in 1868 exactly; very likely I did.

5849. At the present time you are in favour of only partial closing?—Yes.

5850. You have also stated that since 1868 the number of public-houses has increased in Limerick by about 100?—I think that would be so; they have increased very largely.

5851. Has drunkenness increased during that time?—I do not think so.

5852. Still in spite of the increase of public-houses your opinion is now that you are in favour of restricted instead of total closing?—I am in favour of restricted, and I am against total closing; and I am particularly so, as I find there is no legislation for Saturday evenings.

5853. Would you be in favour of legislation for Saturday closing?—So much so that when I was called upon to sign a paper in connection with this movement, I conversed for nearly an hour with the party who called upon me upon the desirability of it, and asked him why it was, for I could not understand why there was this extreme anxiety for the Sunday, when the truly destructive time was left out. I said I could not understand that, particularly when I, who have been connected with a society in Limerick for the last 30 years, and the principal member of it, find that the effect of Saturday night's drinking is so destructive; I even said, "If instead of taking down the names of the men you took down the names of the women and children, you would find which they would advocate; you would find that for every woman who wanted to close on Sunday, and for every child capable of writing, 20 would want to close on Saturday;" for this reason, that when a man gets his wages on Saturday, if he be an intemperate man, his unfortunate wife never sees a penny of it. A grocer, a very large dealer, said to me on this subject: "I would sooner have one Saturday night's drinking in my house than 10 Sundays." I said, "Why?" He replied, "The halfpennies are not there on Sunday; they are gone away to the wife."

5854. What do you call the restrictive time on Saturday?—I call it the restrictive time after a man is paid his wages; between that and say eight o'clock at night.

5855. What time would you propose that they should close on Saturdays?—I certainly would be very much disposed, if I could induce the employers to arrange their hours of payment a little earlier in the day, to close at seven o'clock, or at eight o'clock, at any rate; but unfortunately a large number of butchers and bakers and other trades are open until late on Saturday, and therefore I think it would be inconvenient to close before eight o'clock; but I think that if they were all closed at eight o'clock on Saturday night it would do an immense deal of good.

5856. You have also stated that the general opinion of the clergy in Limerick was that total Sunday closing would be a most pernicious under-

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taking; will you kindly explain what you meant by a "pernicious undertaking"?—I do not think I used that term with regard to the clergy. I have spoken to a great many of the clergy, and a great many of them perhaps have felt as I do myself; that is to say, that it would be extremely perilous to close altogether on Sunday, unless you endeavoured to restrict the hours on Saturday, and not allow a poor labouring man who is a confirmed drunkard to end his Saturday night in a public-house, leaving it in a state almost of *delirium tremens*, for the Sunday, when he must necessarily fly to illicit drinking, or drink at home; and thereby do more harm than he would by drinking for two hours in an open public-house, where the police are continually passing, and could see him if he did anything wrong.

5857. Then the term "pernicious" would apply to illicit drinking?—Yes; to illicit drinking, certainly.

Mr. Bruen.

5858. Do you consider that on Sundays in Limerick there is more drinking than on other days?—I do not indeed, by no means. I think that on Saturday there is more drinking than on any other day.

5859. You of course are accustomed to go about the streets of Limerick a great deal on Sundays, as well as on other days, and you can give your evidence with great authority on that point?—I can. I live within the city, and my duties take me about continually on Saturdays and on Sunday evenings. I have to attend the constabulary in two or three barracks, and I take a very great interest in the condition of the people in the neighbourhood. I am constantly in communication with the constabulary, and I may tell this Committee that I have spoken to every single policeman in Limerick, and, with one exception, they have told me that their difficulties would be considerably increased by total Sunday closing, and that the difficulty of their duties would be decreased considerably by closing earlier on Saturday evenings. That information I obtained from several intelligent constables, acting constables and sub-constables, in Limerick; and as I said before, with one exception, I have had no difference of opinion expressed.

5860. Speaking from your own observation, do you think that there are more persons arrested by the police on Sundays than there are on any of the week days?—That would be so as regards the other days of the week; but as regards Saturdays I consider that the arrests are considerably more numerous. I am a magistrate, and I make it my business to ask as a rule: "When was this man taken up?" and the number of summonses that are issued. If men are taken up on Saturday nights they are allowed out until Monday morning. The statistics before you, I think, would show that the crowds that are brought up on Monday are the result of Saturday night's drinking.

5861. I should like to ask your opinion with regard to the punishment for drunkenness; are you of opinion that it could be an improvement in the law if the magistrates had the power to inflict the penalty of imprisonment without the option of a fine in certain cases?—I do decidedly. I regret to say that I have often felt that the money paid out is either borrowed on the spot, or perhaps the clothing of the woman or the

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husband has been pawned for the purpose of meeting the penalty, and that imprisonment without the option of a fine would be far more likely to lead to a decrease of drinking. I am now speaking of habitual drunkards. I regret to say that they constitute the great amount of the drinking in Limerick. I very often preside at the court, and I am continually asking the clerk: "When was this man up before?" "How often has he been up?" and the continual cry is: "I know him; he is here every day or so, or every week."

5862. Then you find that the money fine, although it may act as a punishment, does not act as a deterrent?—I do not think it does.

5863. But that the penalty of imprisonment would act as a deterrent?—It would.

Mr. Marten.

5864. What length of imprisonment do you suggest it would be proper to allow the magistrates to inflict in cases of drunkenness?—At present they can only give seven days, or 10 a. I certainly would give them the power of giving a man seven days, without the option of a fine, if he was brought up frequently and was an habitual drunkard. I do not think that 24 or 48 hours would be found so very delightful, particularly in our goal at Limerick, where they are obliged to work; they are self-supporting there, and that makes the goal anything but desirable to them.

5865. Do I correctly understand you to say that, in your opinion, the excessive drinking in Limerick is confined chiefly to persons who are habitual drunkards?—I do indeed.

5866. Can you form any idea as to how many persons there are in that condition in Limerick?—I really could not.

5867. What proportion of the population would they be?—I cannot say. Of course they are not all habitual drunkards.

5868. Under the head of habitual drunkards you would include, I presume, only those persons who are in the habit of getting what is called drunk, and not merely persons who drink more than is good for them?—Not at all. Those who are taken up by the police are drunk; they would not take a man up if he only showed a very moderate sign of drinking.

5869. Has any effort of an organised or other character been made in Limerick to induce the persons engaged in the various trades employing workmen to pay them earlier on Saturday or on Friday?—I do not think that there has been any general effort made upon that subject. The system of paying them earlier applies to the large employers, the large corn merchants, and so on; but the great bulk of the tradespeople are paid late on Saturdays; for instance, tailors, shoemakers, and all that class of people are obliged to work until a late hour, and then they are paid at a late hour; at least, as a rule, they are paid in the evening.

5870. Taking the persons who are interested in the promotion of temperance in Limerick, are you aware of any effort that has been made amongst the shopkeepers and tradesmen to induce them to pay the wages at an earlier hour?—I am not aware of it, but I can very well conceive that such an effort may have been made, because there are a good many people who are deeply interested in this movement, and I have

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no doubt that they tried it, but I have not heard of it; that is to say, it has not reached me officially.

5871. You are inclined to attribute a great portion of the drinking on Saturday evening, as I understand, to the late payment of wages?—I do, of course. In fact, in the ordinary payment of wages, no matter at what hour on Saturdays the wages are paid, a man is liable to be met on his way home and intercepted before the wife and family get the wages.

5872. Do you think that if the money once reached the wife's hands the working man would be protected from the temptation to drink?—I do. I am perpetually trying, whenever I can with hope of success (and it is a matter of every day duty with me), to induce a man to come home, or even for his wife to go and meet him, and for him to give her the money; there is an end then of the matter.

5873. Are there any cases in which the wives are obliged to go to the pay place, and are present when their husbands receive their money?—Certainly there are.

5874. Has any effort been made to induce men to allow their wives to receive their wages?—Not generally, except perhaps the effort which a religious society may exercise, or their advice to men in their visits when they go to see them after becoming victims of their drunkenness, and after coming to seek aid from some charitable institution. Then, of course, every argument is used, both by the members of the institution, and especially by the clergy who are requested to visit such people by the members of the society.

5875. You have spoken of persons coming into the towns; do a large number of persons come from the country parts into Limerick on Sundays?—During the summer they do.

5876. Does the contrary practice exist, that a large number of persons in Limerick make excursions into the country?—They go into the country: I would not say a very large number. Some of them go to Adare and Castle Connell, but a large number go away to other towns. There is, perhaps, one Sunday train leaving Limerick for Waterford, and a train leaving Waterford for Limerick for excursionists.

5877. Is the railway refreshment-room open in Limerick on Sunday?—I think so.

5878. They have a seven-day license there, have they not?—They have a seven-day license, I think, but I am not sure about that.

5879. You have referred to the evidence of the efforts made to prevent the sale of spirits on Sunday; is beer drunk in Limerick to any considerable extent?—Very largely.

5880. Is it the common beverage of the people in preference to spirits?—It is, except they are intemperate. That might be inferred from the fact which I have stated, that of later years there is scarcely a brewer in Ireland who is not now represented in Limerick; I remember when we had only the Garry Owen's Brewery and one more; but now Limerick is nearly as good a place for beer as for newspapers; I suppose there is no part of Ireland where newspapers are read so largely as in Limerick.

5881. What kind of beer do they drink; is it ale or porter?—They drink half-and-half just as you do in England.

5882. Is the practice of sending to public-houses on Sunday for dinner-beer prevalent in Limerick?

Mr. Marten—continued.

Limerick?—That is decidedly the case, I see them myself, and I know that they do so.

3883. What is the ordinary dinner hour in Limerick on Sundays?—The ordinary dinner hour for the middle and humbler classes would be from about half-past 2 to 3 o'clock.

3884. Do they often have supper beer?—No, I do not think so.

3885. The hours of Divine service are from 12 to half-past 1, are they not?—In the Roman Catholic churches it is all over by 1 o'clock; the last mass is at 12 o'clock; and service is generally over at one; but in the Protestant churches it is later; then you have an evening service besides.

3886. What time is the evening service?—At half-past 3 o'clock the evening service commences.

3887. What are the arrangements in Limerick with regard to the police for stopping the sale of liquor at illicit times at the present moment?—The arrangements are these: The city is divided into seven or eight districts; there are, I believe, about 80 police in Limerick; there are six different barracks, and there are constantly five or six men in each barrack. Those men walk through the street at late hours in bodies of two and three. The constable of the district knows the public-houses in his district, and he has mostly an eye to them. The men are told to watch the public-houses, and if possible to discover whether they are open at improper hours, and if any now be going on, to have the parties taken up.

3888. Do those police not form part of the regular constabulary?—Yes, they do. We have a separate body of watchmen in Limerick, different from what they have in Cork and Belfast.

3889. Do you consider that an additional staff of police would be requisite, for the purpose of stopping the sale from licensed houses on Sundays at prohibited hours, or for the purpose of preventing shroobens from being opened on Sunday, if total closing on Sunday were adopted?—Indeed I do. I think that my emoluments would be largely increased by total Sunday closing. I think I should have about 50 £ a year more, for I should have at least 50 more men to look after, and it would be rather my interest to close on Sunday.

Mr. Saffin.

3890. Did I correctly understand you to say that the chief reason for the modification of your view upon this subject since 1868, has been the introduction of the Sunday beer system into Limerick?—Not the principal one.

3891. What is the principal ground for the modification of your opinions upon the subject?—I should like to see what I said in 1868.

3892. I will read the question to which I chiefly refer; you say, in answer to Question 2831, "If you will allow me to take the counties around where I have a large professional as well as visiting acquaintance, I will give you my opinion professionally and also as a magistrate, that it would be desirable as well as beneficial to prevent altogether the sale of spirits on that day." You have seen fit to modify that opinion since?—Yes.

3893. What is the principal ground or reason for your change of view upon the matter?—A

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greater amount of experience than I had then. Ten years' experience is one of the reasons. I stated, and I now repeat, that the people of Limerick, and I may include the people of Ireland, are not now so likely to submit to legislation so sweeping as that, as they were in 1868. The people are beginning to think more for themselves, and I believe myself that they would look upon it, to use a common expression, as a certain amount of class legislation, to a degree that they would not at that time.

3894. Is that the chief ground?—One of them.

3895. I want your chief ground, your strongest ground?—I stated awhile ago, and I repeat it again, that in addition to that, at that time, there was, perhaps, not a second institution in Limerick, where English ale or Scotch ale was sold, or ale, or beer, or porter from any other part of Ireland. Now there is to be found in every street a wholesale emporium for those things, and that is greatly produced by the fact that the people are beginning to have it brought into their houses; and I believe that if once a system has crept in, as that has, and if you close the houses on Sundays altogether, you will have whisky brought in as well as beer and porter, and that is another of my reasons. That is No. 4 reason for it.

3896. What do you think the strongest reason for inducing you to change your opinion; is it the Sunday beer, which you have just referred to?—There is another; I look upon this now more as a Sabbath question than ever I did before; that is my opinion. I think there is a great tinge of the Sabbath question about it. I would not say it is my principal reason, but I think, joined with the others, it enables me to have changed my opinion consistently upon the subject.

3897. I will ask you again; you say that that is not your principal reason; will you kindly tell me what is the principal reason?—My reply to you is, that I have given you four or five reasons. I am content at this moment to select three amongst them; if you press me beyond that, I may simply say I cannot tell you. I came here not very well prepared for this. I travelled during the night. I got your notice that came to me a few hours before I started. I had not time to consider the matter beyond that, but I have given you as many reasons as I could bring to bear at the moment.

3898. Then I am correct in understanding that these are about the four strongest reasons: firstly, the Sunday beer question; secondly, that the people would be now more averse to such a law than they would have been then; and in the next place, you now think that the movement is tinged with Sabbatarianism?—And I think I added that the danger of home drinking now would be considerably weaker than it was at that time. I wish you not to forget that.

3899. As to the people being less likely now to sympathise with Sunday closing than they were in 1868, will you tell me had there been any expressions of popular opinion in 1868, in favour of the Bill at all in Limerick?—I really forget. I do not think there were. You know the Bill of 1868; as I remember, it was for the permission to sell at the counter without drinking at the counter.

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Dr. O'Shaughnessy. 5900. Had there been expressions of popular opinion in favour of Sunday closing on this occasion?—I have heard them referred to here to-day, but really they did not reach me.

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5901. Do you think, then, it is correct to assume that there is a greater aversion to such a proposition when the people are declaring more or less in favour of it, than when they do not?—Yes. There was no effort made at that time; there is every effort made now. There are very strenuous efforts made now upon the subject by very influential parties, and by very clever parties too.

5902. You know, of course, the Roman Catholic Bishop of Limerick?—I do.

5903. You said awhile ago that you thought that the Catholic clergy of Limerick regarded this with alarm, as a most perilous measure?—I should have been understood to say that I do not confine myself exactly to the clergy of Limerick, but to the clergy generally with whom I converse.

5904. What do you think is the feeling of the clergy of Limerick and their bishop?—I think I answered before that I have never spoken to the bishop, but I was told that the bishop had signed. If you will allow me to follow up the question which you have put, I can very well understand the clergy of Limerick, always anxious to promote the morality and temperance of their people, not feeling that they would be justified in refusing to sign any document which would lead to temperance generally; and I do believe that, perhaps, if the clergy of Limerick considered it as a purely Sunday question, they would not be so much disposed to sign, because that has a general tendency to temperance and sobriety, knowing that drunkenness is the root, I may say, of every crime with the Irish, and they would, of course, find it very difficult to oppose it. It is a very different thing when you come to speak to them, and to discuss the matter, as I have done, with some of them, who certainly have said that they considered that a few hours on Sunday would not be injurious, and that the closing altogether would be very injurious if Saturday was not included.

5905. Am I to understand that you infer from these clergy that the bishop and his clergy give that sort of cold assent, that they would not like to refuse?—I did not go as far as that; I said generally. It is an abstract question, and I say that they would not like to refuse anything where temperance and the consequences of temperance would be placed before them. As an instance of the case, and I think it is a very strong one, a clergyman, who is the prime mover in Limerick of teetotalism, and who has been for years at the head of that movement, and who has congregated around him some 3,000 or 4,000 people, told me distinctly that he was of opinion, and I asked whether I was at liberty to state it, and he told me I was at liberty to state that he did not think that the total closing of the public-houses on Sunday would promote temperance.

Mr. Maurice Brooks.

5906. Who was that?—A clergyman who is at the head of the teetotal society.

Mr. Sullivan.

5907. The honourable Member for Dublin asked you who he is; will you tell us who he is?—I would sooner not tell.

Mr. Sullivan—continued.

5908. Had he any objection to your stating it on his authority?—I do not like to name any one; I prefer not being questioned; he is a parish priest.

5909. Do you think that he would object to having his name given?—I really could not tell you.

5910. Do you think that you are bound to protect him by not giving it?—I do not think that the term "protection" is one that I should apply to it. I would sooner name the name of anyone in this room. I have not named anyone, and I would not wish to name anyone; but with regard to that, I think I have spoken sufficiently in saying that he is at the head of the teetotal society in Limerick. For any practical purposes I do not think that any benefit would be derived from naming him.

5911. Of that we are obliged to judge as a matter of evidence; do you assume that it would make him unpopular in Limerick if it was known that he stated that?—I do not indeed.

5912. Would it make him popular?—I do not think it would have any effect one way or another, but I did not get his permission to name him.

5913. But you object to tell us his name?—I do.

5914. Now, I will read to you a sentence from a published letter from the Most Rev. Dr. Butler, the Bishop of Limerick: "I shall not be able to attend the Sunday closing meeting to be held in Dublin on the 16th proximo, but I need hardly assure you that the movement has my entire approval, and that I most cordially wish it success." Do you think that he is not well acquainted with the opinions of the Catholic clergy in the city of Limerick also, as well as expressing his own?—I will not answer that. I think there is no bishop in Ireland, perhaps, with whom his clergy agree more generally than they do with Dr. Butler, but I can very well understand that although Dr. Butler, in his capacity as a clergyman, wrote that, several of his clergy may think otherwise. I do not think that Dr. Butler would hold them responsible, or that he would call them, so to speak, to task for not agreeing with him on the subject.

5915. Have you any reason to think that they disagree with him?—I have spoken to several clergy and they have told me, so far as the total closing of public-houses on Sunday is concerned, that they considered that it would not tend to any benefit or any good; that is all I know.

5916. Are you aware that Dr. Butler is very chary about giving permission for public petitions to be signed at the chapel doors in Limerick, and that he does not allow what are called ordinary political petitions to go there?—I do not know that.

5917. Did you never read in the newspaper about an application to him to permit petitions to be signed at the chapel doors?—I never knew Dr. Butler to object to any general movement.

5918. At the chapel doors, I say?—I have not, indeed. I do not know whether you would call Mr. Butt's collection political, but I know this, as a matter of fact, that at every chapel in Limerick in his diocese on Sunday, the day before yesterday, there was a collection for Mr. Butt.

5919. Was not that in consequence of a direct application to the bishop for permission?—I did not

Mr. Sullivan—continued.

not hear that it was; it may have been the bishop's own idea that Mr. Butt's services to the country at this moment were such as called on him as bishop to do it.

5920. Do you read the Limerick newspapers, and have you never read of a deputation going to the bishop and having an interview with him a year ago upon this subject, and that they were not successful?—I did not, indeed; if I did I should have told you in the first instance.

5921. Did you hear of that bishop writing to the Sunday Closing Association to say that the clergy who were apparently in favour of the Sunday Closing Bill, would have the petition signed on their particular church doors on a particular Sunday?—I did not.

5922. That would be very strong evidence with you, however, that the bishop and his clergy thought that it would be a good thing in Limerick?—It would be so far as the bishop went.

5923. Do you think that there is a very strong feeling against the total closing of the public-houses on Sunday in Limerick?—I think that a great many of the people have not considered really on the subject, and that they have looked upon it as a matter that was in agitation, and most likely would never become the law, and that never would be pressed like many other things that arise.

5924. You never made any personal investigation, did you, into the success, or otherwise, of Sunday closing in large cities or towns?—In the towns I have.

5925. Such as Thurles and Clonmel?—Yes; few men have done more as to that than I have done.

5926. Have you ever visited Glasgow and Edinburgh?—I have been there, but not on Sundays.

5927. Were you always strongly in favour of beginning at the Saturday night?—I was for many years since I took the position of president to a society to which I belong, and since it became my duty to do more than perhaps one man's part, I must say that Saturday night has always presented itself to me as being the dark hour in the matter, so to speak.

5928. Supposing we had Sunday closing and

Mr. Sullivan—continued.

shorter hours on Saturday evening, would you think the experiment worth trying?—I think it would be too much to begin with, really, to close altogether on Sunday. I think if I were one of the Legislature in the matter I would close earlier on Saturday, and I would close partially on Sunday, and feel my way with it gradually, and break the people into it.

5929. Then if that succeeded would you move a step or two further?—Why should I not if the thing worked well.

5930. I want to have it on record; your present modification of view on Sunday closing arises from this fact, that your experience causes you to apprehend that it would be too great a plunge all at once?—Yes, it would, and that the people would not be prepared for it, and that there would be a great outcry against it.

5931. But you would think that if we advanced to that position by gradual steps, and if each step was found to work fairly well, you would be in favour of total closing of public-houses on Sunday?—I would, indeed; anything that would put a stop to Sunday intemperance.

Mr. Murphy.

5932. Does your experience enable you to give an opinion generally as to the proportion of drunkards to the general population of Limerick?—No, I cannot say at this moment accurately, but I should say that the population of Limerick is about 40,000; and I do not think that you have more than 300 drunkards in Limerick; in fact, I do not think you have as many.

5933. Then the drunkards form the exception?—They do.

5934. And of those drunkards I take for granted that the habitual drunkards form the major portion?—Yes. You would be amazed to see, if you took up the petty scoundrel's book, how continuously and perpetually the same man is brought up for drunkenness.

5935. Then it is almost unnecessary to ask you this question; but I shall ask you, is the normal condition of the general population temperate or otherwise?—I think it is temperate necessarily from the observations I have made.

Mr. JOHN ELLARD, called in; and Examined.

Chairman.

5936. I BELIEVE you are Town Clerk of Limerick?—Yes.

5937. How long have you held that office?—About 18 years.

5938. Do you hold any other office in the city?—No; I am a solicitor also.

5939. Have the Corporation of Limerick taken any action upon the question of Sunday closing?—No.

5940. Have you yourself considered the question of applying total Sunday closing to the city of Limerick?—Yes; it has been spoken of a good deal in Limerick.

5941. What are your views upon the matter?—I would not approve of total Sunday closing.

5942. Why not?—I do not think that the people have sufficient amendment to warrant their being shut out from the use of those houses, &c.

Chairman—continued.

which are in many instances of advantage to them. The poverty in Limerick is very great, and numbers of those people very often go to the public-houses for the sake of the benefit of the fire that are there; in fact, they have no other means of recreation but to go to those places. I have also another reason. I think that the Sunday closing movement, to a great extent, has been adopted for the purpose of stigmatising the country with a vice which I do not think exists in it. I think that drunkenness is exceptional. I have read in the newspapers that witnesses examined here have stated that it is a national vice; but from my knowledge of Limerick it is exceptional, and that, compared with the population, the number of drunkards are very few.

5943. Do you think that there is less drunken-

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Mr. ELLARD.

*Chairman—continued.*

Mr. *Stewart*. *ness in Limerick on Sunday than on other days?*  
—Certainly.

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5944. Do you think that there is less drunkenness in Limerick now than there was formerly?—No; not at the time of Father Matthew's movement. Of course it decreased so much then that it was very little indeed, and it may have increased a little since, but I think, as a city, it can compare with any city in the United Kingdom as being most temperate and well-conducted.

5945. Is there much drunkenness in Limerick in unlicensed houses, or at prohibited hours in licensed houses?—No; I should say not in unlicensed houses, what are commonly called shebeen houses, of which I believe there are very few, if any, in Limerick. In fact, from inquiries that I have made if there be five or six that would be the very outside, even if there be so many.

5946. Are the public-houses generally well conducted, or is there much keeping open at prohibited hours?—I could not exactly say as to the prohibited hours, but I think they appear to be very regular from my general observation.

5947. Do you agree with the evidence that has been given here by the two witnesses who have spoken to-day, as to the number of excursionists who come into Limerick on Sundays?—Yes, there are certain times that a large number of them come in; when there are excursion trains from Cork and from Waterford. But I think it is one of the causes of complaint that the humbler class in Limerick are cut off from the country a good deal by the want of train accommodation from Limerick; there are no excursion trains. There is only what I call a local train, that is to a short distance, which they can afford to pay the fare by, and that is to Castle Connal and Killaboe. On the Foynes line there is no excursion train on Sundays. On the Cork line the train runs direct to Cork, and of course very few of the humbler class can afford to pay the comparatively large railway fare which they would have to pay for Cork; and the same observation applies to the Waterford and Limerick line, that they must go to Waterford, and the fare would be a large sum for humble people to pay.

5948. Then, the lower classes in Limerick have not the amusement of excursions into the country?—No, not to near ones, I would say, taking a radius five or six miles, with the exception of Castle Connal.

5949. Have any meetings which have been held in Limerick, on the subject of Sunday closing, come under your notice?—Yes; I think I got a circular to attend some of them.

5950. Did you attend them?—No, I did not. The fact was I considered the movement as a Sabbatarian movement, and for that reason I did not attend. I think that generally the people did not at that time think that it would be seriously taken up. It is only since it has come before Parliament that they have thought it might be carried into effect.

5951. Have you many opportunities of ascertaining the feeling of the class who would be affected by total closing?—Yes; since it has come before the House of Commons, I have heard a good many speak about it; and, so far as private conversations generally go, they appear to think that it would be a great hardship to shut up the

*Chairman—continued.*

public-houses from the humbler classes, and also that the well-conducted should be deprived of that which they think they have a right to, for the sake of the few who may abuse the privilege.

5952. Do you live in Limerick?—Yes.

5953. Do you think that the police or the constabulary are as vigilant in arresting drunkards on Sundays as on other days in the week?—I think so; I do not think that there are the same number of drunkards on Sunday as there are on other days in the week. I generally myself walk a good deal out into the suburbs on Sundays, along the River Shannon, and the number of persons who go out there fishing, of the trailing class, is very numerous indeed, and perhaps only for that amusement that they in that way might be at the public-houses, and of course they might be tempted to excess.

5954. Do you remember whether a voting paper as to total Sunday closing was left at your house?—It was not.

5955. Is there any other statement which you wish to make to the Committee upon the subject?—There is no other that I am aware of.

Mr. *Richard Smyth*.

5956. You have considered the Sunday Closing Movement rather as a Sabbatarian one, have you not?—Yes.

5957. Are you aware with whom the movement originated in later times?—I am not; I only judge of it from the fact that it was generally stated that some strange gentlemen came to Limerick to originate the movement there.

5958. You have no knowledge of the origin of the movement in Ireland?—Not beyond what I state, and the fact that there was no allusion made whatever to the Roman Catholic holidays by those gentlemen, with regard to temperance.

5959. Would you consider the late Most Rev. Archbishop Leahy a Sabbatarian?—I would not; my observation does not apply to him; it applies to strange gentlemen who came to Limerick, who were not known, and who did not take any interest in the city previously.

5960. Is the Roman Catholic Bishop of Limerick a Sabbatarian?—No, he is not.

5961. Are the Catholic clergy of Limerick who are in favour of this movement Sabbatarians?—No, I should say not.

5962. Is the Right Reverend Dr. Furlong a Sabbatarian?—I should say not.

5963. Is Cardinal Cullen?—I should say not.

5964. Would you be surprised to hear that the honourable Member for Louth was one of those who originated this movement in Limerick?—I would not be surprised.

5965. Would you call him a Sabbatarian?—No, I do not; my observation does not apply to every gentleman who is connected with the movement.

5966. So that it is Sabbatarian in a very limited degree after all?—No, it is not. I think it applies strictly to the parties who are most active in promoting it, and who originated it.

5967. There is a taint of Sabbatarianism in it?—That is my opinion, and I give as one of my reasons that there never has been the slightest allusion made to the Roman Catholic holidays, which I believe it must be admitted are days in which, perhaps, there is the greatest intemperance.

5968. Do any of the employers of labour, being Protestants,



Mr. Richard Smyth—continued.

Protestants, object to the workpeople absenting themselves on the Roman Catholic holidays?—No, I should say not.

5969. If it had been stated here that there was such an objection in the south of Ireland, you would not agree with that statement?—I speak only of Limerick; my knowledge only extends to Limerick, and I know that there they do not object. On the Roman Catholic holidays all the country people from the neighbouring districts come into Limerick to mass, and, meeting their friends there, they may be tempted; for it is a fact that on those days a much larger number of persons than on Sundays become intemperate.

5970. Do you think that there is as little work done on the Roman Catholic holidays as there is on Sundays in the south of Ireland?—No, there is more work done on holidays.

5971. There are not so many people idle all day?—No; they have permission in the diocese of Limerick, after they have attended their devotions, to attend to their work; any of those whose means of support require it.

5972. You do not think that drunkenness is a very prevalent vice in Ireland?—I do not think it is a very prevalent vice in Limerick; Limerick people are the most well-conducted and proper persons. You could walk through the streets of Limerick at any hour of the night, or any lady in London may walk there without the slightest fear of offence.

5973. There are very few arrests for drunkenness, I suppose?—There are, of course, arrests, but I would say that the arrests for drunkenness could not average more than from 10 to 20 a day. I am speaking, of course, in a general way.

5974. Are those very quiet sometimes who are arrested, or are they supposed to be turbulent?—As I understand they are generally the habitual drunkards; there would, of course, be exceptions, a good many parties from the country, for instance. I believe, taking the parties who come in to Limerick market on Saturday, a great many of those drink towards the end of the day, and are arrested by the police going home, and then, of course, they are brought up before the city magistrates on the Monday morning, and are taken as city drunkards.

5975. On the whole you think that sobriety is one great characteristic of our city and neighbourhood?—I think, considering that Limerick contains about 40,000 inhabitants, if you compare that with the number of constables, it is a very temperate city, and also judging from what I may see in the streets, because I do not go the length of saying that every person who is drunk is arrested, but taking it generally as compared with the population, the parties who are intemperate constitute a very small minority.

5976. I think I understood you to say, at the commencement of your evidence, that you regarded this question of Sunday closing as involving a slur upon the country in general?—Yes.

5977. Have you ever read any of the charges of the going judges of assize in later years to the grand juries of the counties?—I have.

5978. Have you ever seen any allusion to drunkenness in these charges?—I have.

5979. What was the nature of those allusions?—That intemperance was on the increase.

5980. And do they say that it is the fruitful source of crime in that country?—Yes, but we

Mr. Richard Smyth—continued.

must take it also that the judges only take it on reports. I am confining myself most strictly to Limerick, because I do not know anything of the other parts of the country.

5981. Did I understand you to say that the corporation of Limerick never took any action with reference to the Sunday Closing Bill?—I do not call to mind that they did.

5982. Did they never petition Parliament in favour of the Sunday Closing Bill?—I cannot call to mind; they may have done so.

5983. Did you never yourself sign your own name to a petition on behalf of the corporation of Limerick, which was forwarded to the House of Commons?—I may have done so. I cannot call it to my mind. I do a great many official acts; I have an assistant, and there are a great many official acts that I do which may escape my memory, which I simply sign my name to.

5984. Was there any discussion in the corporation upon the subject?—None that I can recall at the moment. I am turning it over in my mind, and my memory is puzzled between that and a petition about the marriage of a deceased wife's sister. I believe you are right. I believe now that there was some petition of that sort.

Mr. O'Shaughnessy.

5985. You do not mean to charge the Roman Catholic clergy with Sabbatarianism?—No, I have stated not.

5986. I believe they never offer any opposition to the rational enjoyments of the people on Sunday, such as outdoor games, or walks, or hands, or anything of that kind?—No, quite the reverse; they rather encourage them.

5987. There has been no attempt on the part of the Roman Catholic clergy in Limerick, for instance, to suppress bands?—None.

5988. Except, of course, they would not like them to play during church hours?—No; nor to cause any annoyance to any house of worship in passing.

5989. With regard to the holidays in Limerick, I believe you are in Limerick from week's end to week's end?—Yes.

5990. Do you know the appearance of the city on holidays?—Yes.

5991. Can you say that there appears to be more drunkenness on holidays than on Sundays?—Far and away more on holidays.

5992. To what do you attribute that?—I attribute that to the number of country people who come into the town on that day to attend to their devotions. After a time their families come in with them, their wives and their daughters, and they go purchasing about, and they take refreshments.

5993. In your opinion, if Sunday closing were necessary for Sunday, it would be still more necessary for the holidays?—I should say so; there is not a second thought about it.

5994. You were asked whether you considered Archbishop Leahy a Sabbatarian; did Archbishop Leahy ever attempt to enforce Sunday closing, otherwise than by his pastoral advice, within his diocese?—No, it was only the moral influence of his advice. Perhaps, if an Act of Parliament was passed enforcing it, that moral influence would be greatly weakened.

5995. Is it your opinion that if an Act of Parliament were passed enforcing this reform, the moral influence of the Catholic clergy would be

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longer be put into force for the purpose of Sunday closing?—I think, in the diocese of Cashel, that the Act of Parliament would take away that respect that they have to being trusted to their honour by the bishop and clergymen to act upon their recommendation.

5996. You do not mean to say that it would take away their respect for the clergy?—No.

5997. What you mean to say is this; that they would then feel that it was not a moral or religious obligation which bound them, but a legal obligation?—Yes; you have expressed exactly what I mean.

5998. Do you think that active moral work on the part of the bishops and clergy of both churches, or a legal obligation, would do more to check drunkenness?—I do not think that an Act of Parliament could be compared with the effect of the bishops and clergy interfering.

5999. I believe you have seen some work, in the direction of temperance, done by ecclesiastical organisation of Limerick?—Yes, when I was young. I was present at the movement of Father Matthew, and I have seen thousands take the pledge; and I know some parties who, to the present day, have kept the pledges most strictly.

6000. Coming to later days, are there not organisations in Limerick, built on purely spiritual grounds, which have done an enormous amount of good in checking intemperance?—Yes; there is an order called the "Holy Family," comprising a large number of the working classes, I suppose up to about 4,000, and the good done by that movement, which has been set on foot, is very great indeed.

6001. And that movement is sustained not merely by the particular religious order which has recognised the institution, but by the bishop and all their clergy?—Yes, and that order exercises an influence around it altogether in the neighbourhood where the people live.

6002. You know that the people are in the habit of asking for a great deal in order to get something; do you think that the wish to obtain some real and substantial benefit has been the motive which has induced the Roman Catholic population generally to give the support, whatever it be, which they have given to this movement for total Sunday closing; do you think it is in the expectation of getting total Sunday closing, or merely of securing moderate and prudent reforms?—What I think is, that it would be more for the purpose, perhaps, of regulating the hours; for instance, if you curtail the hours, my opinion would be that it ought to be for Saturday night, if you put on a restriction at all.

6003. But you would not object to some restriction on Sunday?—If you put a restriction on I would not leave them open till 5 or 6 o'clock, but I do not like having the places open in the evenings. Perhaps I go even further than some of you in my opinion, that it would be a far greater benefit than Sunday closing if no public-house was allowed to be open before 10 o'clock any morning in the week, because I think no man requires drink, at all events before 10 o'clock. Very often men when they leave their work at 9 o'clock to go home to breakfast are tempted to go into the public-house, and the result is that they often do not go back to work, whereas, if the public-houses were not open till

Mr. O'Shaughnessy—continued.

10 o'clock they would be gone in to their work, and would attend to it.

6004. Do you think that Sunday drinking bears only a trivial proportion to the evil done by drink?—Indeed, I think so.

6005. In the city of Limerick I believe they are making some effort to provide rational amusement for the working classes on Sunday?—Yes; there is a park being got up there now.

6006. Do you think that that will have the effect of withdrawing them to some extent from the public-houses?—I think that if they got amusements there it would have very great effect.

6007. But they will have amusements in the park, will they not?—If hands were allowed to play there on the Sunday evenings, I think it would have a great effect.

6008. Of course the bands would be allowed to play there on Sunday, would they not?—I am not so certain about that; I know that in the arrangement that was first made there was a restriction put in against the bands playing on Sunday, and there is a reservation in the terms of the lease that the rules and regulations are not to be enforced until they are approved by the nobleman who gave the grant of the ground.

6009. Is there anything in the lease to prevent bands?—It is not in the lease, but in the agreement for the lease; the words are distinct that there are to be no bands there, nor are there to be any boisterous games played in the park on Sunday, nor is it to be open except at the hours that may be regulated.

6010. Then it is only on Sunday that this restriction for keeping the Sabbath is introduced?—That is all. It was mentioned specially in the agreement for the lease, but it is not in the lease. But there is a condition in the lease that the rules and regulations of the corporation are not to become bye-laws, as far as the park is concerned, until they are approved by the nobleman who granted the land.

Mr. Maurice Brooks.

6011. Do you remember if any voting paper was left at your home concerning this Sunday closing business?—No, there was not.

Mr. Morley.

6012. What proportion do the Roman Catholics bear to those of other religions?—To give it you in round numbers, the population is about 40,000, or a few hundreds less; I think that all the other persuasions taken together we will say, in round numbers, are about 3,000, and the rest are Roman Catholics.

6013. How many Roman Catholic holidays are there generally observed in the course of the year at Limerick?—There is New Year's Day, Twelfth Day, St. Patrick's Day, Lady-day, Ascension Thursday, Corpus Christi, St. Peter and Paul's Day, Lady-day in harvest, on the 15th of August, St. Michael's Day, in the parish of St. Michael in Limerick, All Saints' Day, on the 1st of November, and Christmas Day, of course. There are a great many devotional days besides, on which invariably the people go to the churches.

6014. As I understand you, there is more drinking on those particular holidays to which you have referred than on Sundays?—Yes.

6015. On

Mr. *Moxter*—continued.

6015. On those days do some of the people go to work?—Yes; a good many of those who are in stores and in permanent employment go to work. They have permission, after going to their devotions, to go to work, and their employers allow them to remain until they have gone to early mass, and I think they are paid three-quarters of a day for it.

6016. With regard to the number of arrests in Limerick, are you able to inform the Committee whether or not those arrests for drunkenness are of the same person repeatedly, or do they represent, to a considerable extent, persons who are arrested only once?—From my own opinion, and from what I have heard from others, they are generally habitual drunkards. There are numbers brought up over and over again.

6017. Do you consider that the habitual drunkard would in any way be reached by providing the people with the amusements as you suggest on Sundays?—It is very hard to say what would reform habitual drunkards; it is so much like a disease.

6018. You remember Father Matthew's movement; when was that?—In 1839.

6019. Did that produce a permanent effect in favour of sobriety in Limerick?—Undoubtedly. I have known plenty myself where I recollect to have seen these almost wretched drunkards rolling about the streets, and now those people are the best conducted persons in Limerick. The day before I left Limerick on Saturday, I was speaking to a man who had, up to Father Matthew's time, been a most inveterate drunkard, but who has been temperate ever since.

6020. Would it be your opinion, judging from your experience of Father Matthew's movement, that a movement of that character, involving an appeal to the people on moral and religious grounds, might be likely to be more effectual in the way of promoting sobriety than any excessively restrictive legislation?—Most certainly.

Mr. *Murphy*.

6021. You mentioned about habitual drunkards; is it your opinion that any act of restrictive legislation, such as total Sunday closing, would prevent these habitual drunkards getting drink if they wished; do you not think that they would find out some way of getting it?—Indeed they would find it out wherever it was to be had.

6022. Such an Act, therefore, would have no influence upon them?—None whatever; I think it would only encourage these shebeen houses.

Lord *Charles Beresford*.

6023. You would propose to close the houses earlier on Saturday, would you not?—Yes; I would be disposed not to have them open after about seven in the evening, or eight at the very latest.

6024. And also you would not open them before 10 in the morning?—I think it would be a very good measure not to open before 10 in the morning.

6025. Do you think that it would have the effect of checking drunkenness if the houses were closed earlier on Sundays?—I think it would; one of my reasons for that is that if the houses are closed on Sunday, we will say at five or six o'clock, people go in very large numbers to the churches in the evening. For instance, the members of this confraternity all go to the churches, and go home almost immediately after; and some-

0.58.

Lord *Charles Beresford*—continued.

times parties who are out meet their friends, and when those houses are open, as they are at present, up to 9 o'clock, they get tempted to go into them, and in that way become intemperate.

6026. I gathered from what you said before, you did not seem to think that it would do any good to close the public-houses on Sunday at all, or rather not to close them earlier than now?—That was referring to the habitual drunkards; I do not think that it would have any effect upon them.

6027. Do you not think it would be good to close them earlier now?—I think it would help some parties who may occasionally fall into intemperate habits, by removing the temptation if the houses were closed at five or six, say six at the latest.

6028. But, undoubtedly, to strike at the root of the evil, you think that closing earlier on Saturday would be a great advantage?—Yes, I think it would, certainly, beginning on Saturday; because I believe that of the greater number of those who are brought up at the police court on Monday morning, nearly three-fourths have been arrested on the Saturday evening.

Marquis of *Hamilton*.

6029. Can you tell me whether drunkenness has increased or decreased in Limerick during the last 10 years?—I should say, speaking now from my own observation only, that it has rather decreased lately, owing to the formation of the society I have referred to, which has had a great effect in the direction of sobriety.

Mr. *Brace*.

6030. Do you consider that there is more drinking on Sundays than on the other days of the week, excepting Saturdays?—No; I do not think there is.

6031. From your observation in Limerick, on Sundays, is it a city in which the streets are quiet, and public decorum is well observed on Sunday?—Perfectly so.

6032. Do you live in Limerick?—Yes, I live in the centre of Limerick.

6033. So that you have full opportunities of judging?—I have a very good opportunity of judging, for I go about a good deal; I generally walk out in the suburbs, and I pass even through some of the poorer parts of the town continually, and I generally see that the parties are very well conducted.

6034. Do you think that the opening of the park in Limerick, and other movements of the same kind for Sunday recreation, will have a good effect upon the lower orders in giving them amusement and recreation on Sundays?—I do.

6035. How long has the park been opened?—It is not opened yet; it is to be opened on the first of next month.

6036. By what movement has that park been established?—The ground for it was granted by Lord Limerick, on certain conditions, to the corporation, and there was a large sum of money to be laid out, some 1,500 £ or 1,600 £ to put it into order. It was merely waste building ground, and some gentlemen undertook the responsibility, and guaranteed to have that money expended, and amongst the rest, one of the gentlemen who was here to-day, Mr. Spaight; he is one of the guaranteees for the laying out of 1,500 £ in converting this waste ground into a park, and

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planting

Mr. *Ellard*.  
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Mr. Ellis.  
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Mr. Bruen—continued.

planting it; it is about seven English acres, and it is inclosed with iron railing.

6037. Did I understand you to say that Mr. Spaight gave this guarantee for 1,500 l. in his own individual capacity, and not as Mayor of Limerick?—No, as a private individual, for the benefit of the city and of the people. The money was not forthcoming; the corporation did not consider that they ought to lay it out from any portion of the rates; and then those gentlemen came forward and signed a guarantee which enabled the corporation, on the faith of their guarantee, to enter into an arrangement with Lord Limerick to have the park put into a proper state, and also the corporation to maintain it by paying 150 l. a year to gardeners, and so on. But those gentlemen who gave the guarantee are finding the necessary funds, for the corporation are heavily in debt.

6038. Are the homes of the working classes in Limerick of a very poor description?—Very wretched. I have often seen in one room, not one-fourth the size of this room, three and four families living together.

6039. In the winter, supposing that the public-houses were closed during the whole of Sunday, what resource would the men of the family have for spending their Sunday?—None whatever, that I am aware of, with the exception of the churches; and they go in very large numbers, even the men go in very large numbers to the churches in the evenings, to sermons and devotions.

6040. Is there any movement on foot in Limerick for improving the homes of the labouring classes?—There is.

Mr. Sullivan.

6041. You were asked what resource would the men have if the public-houses were closed on winter Sundays; will you tell me what resource is there in a public-house for them except that of drink; are there healthful amusements, games, penny readings, or anything of that sort, over the counter?—I believe some of them play haggis, and some of those games, so I understand, in some places.

6042. Is that general in Limerick?—No, it is not general.

6043. Is it general in the public-houses most frequented by the working classes?—No, I should say not; it is more in the public-houses that may be near to the military barracks.

6044. Is not that a very small proportion of the public-houses of Limerick?—I should say so. The only resource that I see the public-house is to them, is the benefit of the fire.

6045. You said, I think, in the third answer you gave in your examination, that one of the chief reasons why you would not be for shutting up the public-houses on Sundays was, that you would not like to deprive the working classes, whose homes were very miserable, of the amusement and recreation of the public-house; are the public-houses very amusing or full of amusement for the people of Limerick?—I have not been in them myself; I can only speak from what I have heard; I tell you, I believe that great numbers of those men sit around a very large good fire, and they chat about a great many things, and gossip about politics, and they discuss even what goes on here.

6046. But if they had a place where they

Mr. Sullivan—continued.

could have a good fire, and the chance of a gossip, and of reading the newspaper, that would render it unnecessary, to some extent, to have public-houses for that purpose, would it not?—It would; but I say provide for them first.

6047. You said, did you not, that the homes are very squalid and miserable in some cases?—In many. I have had a great deal of experience myself. I was connected with a society in which I had to visit them in my younger days, and they have been very wretched.

6048. Do not you think that drink has a good deal to do with making the wretchedness of the homes?—Yes, in some instances, it has; in fact, in a good many.

6049. As a general rule, is not the home of a man who is given to drink more squalid than that of others?—In the case of a man who is given to drink, of course his home will be so; but it occurs in a great many instances where drink is not the cause.

6050. You said that no canvass-paper was left at your house; are you quite sure about that?—I am, for I made special inquiry about it when I saw it in the paper.

6051. You receive a good many papers as town clerk; printed ones, do you not?—Yes; but those go to my office at the town hall; they do not come to my house.

6052. Do many go to your own house?—Very few indeed.

6053. Your memory would not slip such an important matter?—No; as a professional man, I receive a great deal of that sort of thing; but seeing it mentioned in the newspapers, I was anxious to see the form of it, and I made special inquiry. I do not say that it was done intentionally, but it may have been an oversight.

6054. In fact, you are Town Clerk of Limerick, and you have the custody of the city wall?—Yes.

6055. I believe you affix it?—My assistant generally affixes it.

6056. But you are generally present at the corporation meetings, are you not?—Generally. I may be sometimes away, perhaps, attending term occasionally.

6057. You were asked whether there is more or less drunkenness on Sundays, and you said that you thought there was less than on any other day in the week; as a matter of fact, are not the hours less?—Yes, they are. I intended to have made that remark, that the hours are less.

6058. What is your opinion if the public-houses were open on the same hours on Sundays as on Wednesday or Thursday; do you think that the drinking would be less or greater?—I should say, of course, it would be greater, as the temptation would be greater.

6059. You told us, I think, that you could not give us any very good idea of what the feelings of the Corporation of Limerick are on this subject?—No, I could not.

6060. You say that they have not expressed an opinion upon the matter?—That is my recollection.

6061. Will you take this into your right hand and read the last entry on the right hand page (*Handing a book to the Witness*); does that purport to be a record of a Public Petition to the House of Commons from your corporation under your seal,

Mr. Sullivan—continued.

seal, which is under your custody, presented by your senior city Member, Mr. Butt?—Yes.

6062. Then they have expressed an opinion upon the subject?—Yes, it appears they have: I was only speaking from my own memory. I may have been absent; I may have been in Dublin on that day, and when I come home all matters that are initiated I sign.

6063. Now will you take this book into your hand (*Handing another book to the Witness*); will you see if your junior Member had a hand in sending in another petition under seal the previous year?—Yes, I see the item there.

6064. Is that petition under your seal?—It is.

6065. Then your corporation, as a matter of fact, have expressed an opinion upon this matter year by year, at all events for two years?—Those two years at all events.

6066. The junior Member for your city asked you whether the Archbishop of Cashel ever attempted to enforce Sunday closing by anything exceeding his spiritual authority; would you tell us what other powers he had?—None, of course.

6067. Then he enforced it by the utmost powers that he had?—I should say that it is by his advice.

6068. He had not the civil law at his back, had he?—No, he had not.

6069. Then he did his utmost?—He did; but in his diocese there were special reasons why he was anxious for it, for there were those great factions which were called the three-year old and the four-year old. He was very anxious by every means to put them down, and prevent their having a place of meeting. I do not know much about the Cashel district, but I understood that to be the reason.

6070. That prohibition extends, however, all over the diocese, does it not?—It does.

6071. And he has maintained it and proclaimed it publicly as a great success for 15 years?—Yes; from what I have heard it has been a great success.

6072. The people who have such miserable homes would not, I presume, need the public-houses so much on Sunday if they had better homes and innocent recreation?—No, they would not.

6073. And you are now getting those things in Limerick, better homes, a public park, and so on?—It is proposed to get them; we shall have the park.

6074. So that, in fact, the Sunday closing would in that sense not inconvenience the people so much as if they had not those things; they would have better things to go to than the public-house?—No doubt, when they get them. There were amusements when I was in my boy days that there are not now in Limerick. I recollect that at the part of Limerick called the Crescent, a military band played even on Sundays in the evenings regularly, and crowds of people went; but in Limerick at present and for years past the humbler class have no opportunities whatever of hearing a military band unless when they are marching through the streets on some day. That is the only time that they could hear the military bands except they went to places which they could not afford to go to, and at hours at which they could not leave their employments. A band generally plays in the square, but I do

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Mr. Sullivan—continued.

not suppose that anyone except those who annually subscribed go to those public places, and it is at hours at which the working classes can never hear them. I think that music would be a great advantage in inducing men to keep away from the public-houses, for they are passionately fond of it.

6075. About this matter of Sabbatarianism, you said that one of the things that made you think about this Sabbatarian charge against the promotion of this movement was, that they make a difference altogether between the Roman Catholic holidays and Sundays?—Yes, I did not hear a word about the Roman Catholic holidays; and in looking over the account of the meeting, I did not read or see anything about them.

6076. As a matter of fact, does your corporation meet on the Ecclesiastical holidays and transact public business?—They are bound by Act of Parliament to meet on one of the holidays, and that is the 1st of November; but although we are bound to do certain acts on that day I cannot get them to enter upon the business; for they immediately move an adjournment. We must appoint the quarter days for the remainder of the year on the 1st of November; and on that day I can never get them to remain, they adjourn at once. The result is that a question arises as to whether we have legal quarter days, and that has gone on for a number of years.

6077. Do the Limerick shopkeepers open on holidays?—They do.

6078. Do they make a difference between Sunday and holidays?—They go to their devotions.

6079. I mean as regards opening their places of business?—No, not as regards their places of business.

6080. Do they not make any difference between Sundays and holidays?—None.

6081. Then they do close on holidays all the shops in Limerick?—I think I must have misapprehended your question. They conduct their business on holidays the same as on any other day. In fact those are their best business days owing to the country people coming into the town.

6082. But still such people as Mr. Cleary close on the Sunday?—Yes; they close on Sundays, but they keep open on holidays.

6083. Do you call them Sabbatarians?—No, I do not.

6084. Why do you call it Sabbatarianism, if, in this case, you say one of the great reasons is that the Catholic holidays are left out in fact, and Sunday left in; is not that the case with all trades, Catholic and Protestant dissenters, in Limerick?—It is with regard to the trades. I said that it was a Sabbatarian movement under cover of temperance, because if the temperance movement was solely aimed at, they ought to have taken in the Catholic holidays.

6085. It may occur to you, who are a legal gentleman, that there is a principle of law involved in it, that already all other trades are by law supposed to be forbidden, all excepting the drink trade?—Yes.

6086. Does not it occur to you now that the promoters of this movement have a certain reasonable ground, not Sabbatarian, but legal, in saying, we will put this trade on a level with the others; has that ever occurred to you before?—

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Mr. Edward.  
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Mr. Sullivan—continued.

Mr. Eldon. That has been made an exception to the others, because it comes under the head of refreshments. In the country the confectioners' shops are generally open on Sunday.

6087. Is not a beefsteak a refreshment?—It is, and that is got at an hotel on Sunday.

6088. Still, as a matter of fact, according to the letter of the law, hutchers are not allowed to trade on Sunday; is not that so?—Yes.

Mr. Murphy.

6089. The honourable Member for Louth asked you whether the hours for keeping open

Mr. Murphy—continued.

on Sunday were not less than any other day in the week, and I think he asked you that question with reference to the fact stated by you, that drunkenness was less upon Sunday than upon any other day in the week; would you allow me to ask you this: although the hours for keeping the public-houses open on Sunday are less than they are on any other day of the week, are not the opportunities for drinking on Sundays greater than on any other day of the week to men who are not employed on Sundays?—Of course they are very much greater, because the men are not employed.

Mr. ALEXANDER HEARD, called in; and Examined.

Chairman.

Mr. Heard. 6090. I THINK you are the County Inspector of Waterford?—Yes.

6091. Are you stationed in Waterford city?—Yes.

6092. How long have you held that office?—Nearly four years.

6093. What is the area and the population of the city of Waterford?—The area is 868 acres, and the population is 23,300.

6094. Is that the whole of the population within the municipal area?—Yes.

6095. What force of constabulary have you within that area?—Eighty-seven men.

6096. How many public-houses are there within the municipal limits?—There are 147 public-houses with seven-day licenses; there are spirit grocers, 3; beer retailers, 2; wholesale beer dealers, 8; publicans who hold six-day licenses, 67; and publicans who hold six-day early closing licenses, 6; that makes a total of 233 selling drink.

6097. Do any of the houses holding seven-day licenses close voluntarily on Sundays?—They do.

6098. How many?—Twenty-four publicans who have seven-day licenses, close all day on Sunday; 73 have only taken out six-day licenses.

6099. What were the total number of arrests for drunkenness in the year 1875?—In the year 1875, 1,218, and in the year 1876, 1,359.

6100. Have you the numbers for any preceding years?—I can give you the numbers from 1869 to 1876. In 1869 there were 888; in 1870, 951; in 1871, 1,087; in 1872, 1,187; in 1873, 1,204; in 1874, 1,492; in 1875, 1,216; and in 1876, 1,359.

6101. Therefore the number of cases of arrests for drunkenness has increased since the first period you have quoted?—Yes; in 1874 there were more than there were in 1875, but there were more in 1876 than in 1875.

6102. Taking the year 1876 how many of those arrests were made on Sundays?—On Sundays there were 134.

6103. How many on Saturdays?—Three hundred and thirty-five.

6104. And how many on Thursdays?—One hundred and sixty-two.

6105. Can you tell us the number on the other days of the week?—Yes, I can; Sunday, 134; Monday, 288; Tuesday, 219; Wednesday, 172; Thursday, 169; Friday, 189; Saturday, 335.

6106. It appears that the number of arrests on Sundays are considerably less than those on

Chairman—continued.

the other days in the week?—Very considerably less than those on the other days in the week.

6107. To what do you attribute that?—I attribute it to the company; on Sundays people congregate together, especially young men, and go in gangs into the public-houses; they sit together there and they go home together, and they assist each other in taking each other home; they do not get taken up by the police, because we do not take any man up that is carried home or able to be taken home without being a nuisance to the public.

6108. But you are equally vigilant in arresting persons on Sundays as on other days?—Quite so.

6109. Do not people drink together in company on the other days in the week?—In the day they are employed, and they run in separately and take their drink until the evening, and then in the evening, particularly on the Saturday night, they go into the public-houses and stay there till they are turned out.

6110. Do they drink together in company on Saturday nights?—Yes, on Saturday nights particularly they congregate together.

6111. But do you mean that they cannot take one another home then?—No, they do not. There are a great many arrested on the Saturday nights, more than on any other day in the week.

6112. Then people cannot, I presume, take one another home on Saturday night, as well as on Sunday?—I think generally there are a pretty good number of them drunk, and it is not easy for the drinking class to assist each other.

6113. Now will you give us the number of convictions for the illicit sale of liquor in licensed houses on Sundays from the year 1869 to 1876?—In 1869, 1; in 1870, none; in 1871, 7; in 1872, 1; in 1873, none; in 1874, 1; in 1875, 1; and in 1876, 1.

6114. That shows a very small number of convictions. Do you think there is much illicit sale of that kind on Sundays?—I do not think there is any illicit sale of any consequence in Waterford.

6115. Will you give us the figures of the convictions for sale during prohibited hours in licensed houses on Sundays?—In 1869, there were 7; in 1870, 2; in 1871, 2; in 1872, 4; in 1873, 3; in 1874, 1; in 1875, 8; and in 1876, 10.

6116. How many illicit houses are there known

## Chairman—continued.

known to the police in Waterford?—Yes, suspected of being so.

6117. And from the figures which you have given us it would seem that the public-houses are not largely in the habit of selling during prohibited hours on Sundays?—I think not.

6118. Do you consider that the means which are adopted are sufficient to detect either illicit sale in unlicensed premises, or sale during prohibited hours by public-houses?—Yes, I think so. We know the people who are apt to sell without a license, and they are so constantly watched that they have not an opportunity of selling.

6119. Do you employ any constables in plain clothes?—Yes: two or three every Sunday, and every day in the week there are two or three in plain clothes looking after these people.

6120. Have you any difficulty in obtaining convictions if you bring a case before the magistrates?—I cannot say that there is any very great difficulty. You must prove the case very plainly indeed.

6121. But do you find that that is a difficult matter: can you suggest any amendment in the law, not particularly as regards Sunday, but as to the convictions for illicit sale of liquor in unlicensed houses?—I should say that if the word "keep" was in the Act of Parliament instead of exposing for sale, it would put the onus on the party to prove themselves what they were going to do with the quantity; for instance, I do not like to mention a case, but I could give a special case. I am supposing a man who carries 9 s. or 10 s. a week; if we went into his house and found from four to five dozen of porter, and some whisky, and that poor man half his time is not at work, I should call upon that man to explain and to show what he is going to do with that liquor, particularly when I found people coming out of his house with the appearance of drink.

6122. Do you think that the police require any further power of entry than they now possess?—If a policeman swears an information that he suspects that house to be a shebeen house, and he goes and searches, his warrant, after one month, ceases. For that month there is no sale, and there is no doubt that they will not sell, or attempt to sell; but the moment after that they will attempt to sell again. My idea was that a man should have power to go in for three months, particularly if the man has been once convicted before.

6123. You would give the police a special power of entry in the case of premises where the persons had been convicted already?—Yes.

6124. Do you think that they require any additional power to prove cases against licensed victuallers for sale during prohibited hours?—Where the parties are taken in the house at illegal hours, the appearance of drink being on the table, that ought to be sufficient, and that they should not be obliged, as they are at present, to prove the sale of it. We must prove that it is sold and paid for at present.

6125. Are you quite sure that it is necessary to prove the actual sale?—Yes; I think we are obliged to do so.

6126. Have you considered the question of adopting total Sunday closing in Waterford?—I have consulted the Roman Catholic Bishop specially, and the clergy of all denominations I may say in Waterford, and I did not get one dissenting voice.

## Chairman—continued.

single dissenting voice: they all agreed that it would be the greatest possible benefit to the people of the town to have it. Indeed, only four days ago from this, I went in and saw the Roman Catholic Bishop, and had a conversation with him for an hour on the subject, and he addressed as evidence that it would be of service, the act of Bishop Leamy, in another diocese, the Diocese of Cashel, how he succeeded in preventing the sale: and he advocates closing on Saturday night at a particular hour, and totally on Sunday.

6127. Does your own opinion agree with that of the Bishop of Waterford?—So far as this it agrees, that I know perfectly that it would add a vast deal of comfort to the homes of the poor people in the town.

6128. How?—Many of them, the moment they get money, go into a public-house and spend it, and never will leave it as long as they have any money. The reason there is not actually so many drunk on Sunday is that they have not money to spend as on Saturday. The wretched houses where their poor families live no doubt would be far better if they had a little money, and might be made far more comfortable and far more healthy. They might have much more comfort in their own houses if they did not drink, and lay out their money in the public-house. I have frequently spoken to the wives of habitual drunkards when I have seen them standing outside the public-house door, watching and trying to get their husbands home. I think it is pitiable to see them.

6129. If they spend their money on Saturdays, when, I suppose, they have just received it, closing the houses on Sundays would not enable them to save it?—That is why, I say, those kind of people cannot drink so much on Sundays.

6130. But if they spend their money on Saturdays, as I think you stated, and as would appear from the returns which you have given us, very soon after they have received it, total closing on Sunday would not enable them to save that money, would it?—No; but whatever little they have left, they go into the public-house on Sunday and drink that also. It would enable them to keep a portion of whatever little they may have left, and that is very little indeed.

6131. Have you endeavoured to ascertain the feelings on the subject of the persons who use public-houses on Sundays?—Except the very lowest order. The very low public-houses are, of course, very much averse to being closed, but I think all the respectable ones have no objection whatever to it.

6132. I am speaking of the feelings of those who use the public-houses themselves?—The greater portion of the people of Waterford, a great deal better than half of the whole population, are in favour of altogether closing public-houses, but of course the drunkard is in favour of having them open.

6133. I am not speaking of drunkards; I am talking of persons who use public-houses?—I think the great number of the population of Waterford are in favour of closing on Sundays.

6134. Have you endeavoured to ascertain the feelings of those who use public-houses on Sundays upon the matter; a large portion of the population of Waterford do not use public-houses on Sundays, do they?—Not at all. In Waterford, some of the tradesmen are as respectable

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Mr. Heard,  
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able a people as any in the world. They go out with their families on Sunday dressed as nice as possible. But there is a lower class again of young single men who go in on Sundays to drink.

6135. Do any of the respectable tradesmen you describe ever go into public-houses on Sunday, and take a glass of whiskey or beer?—They do, of course.

6136. Have you endeavoured to ascertain their opinion upon the subject of total closing on Sunday?—I have been speaking to many of them and they seem, in consequence of other members of their families getting drunk, to be averse to having the public-houses open.

6137. Are you referring to the members of the families of respectable tradesmen?—Yes, some of them will still go and get drunk. Young people such as boys and young lads will go drinking in spite of their fathers.

6138. You have told us that you think the larger proportion of the population of Waterford is in favour of total Sunday closing; have they taken any means so far as you are aware to express their opinions upon the subject?—There were four meetings got up within some months back, and there was only one individual, a tradesman, got up to speak against it, and he was invited to go up on the platform, and he refused.

6139. Were all those four meetings practically unanimous in favour of total Sunday closing?—I never heard that there was any dissenting voice at them excepting the one man.

6140. What number of people attended those meetings?—The house will contain 700 or 800 people, and I should say that at the lowest estimate there were from 400 to 600 present.

6141. And there were no meetings held in opposition to it?—I never heard of any being held in opposition.

6142. Do any excursionists go out of Waterford on Sundays?—Yes, nearly every Sunday during the fine months of summer.

6143. Where do they go?—They go to Tramore.

6144. Do you think they use public-houses when they get there?—Very little; very seldom; generally speaking the excursionists coming from Limerick and from other places pass through to the amount sometimes of 300 or 400, and they generally speaking bring little baskets containing their luncheon and their drink.

6145. Do many excursionists come into Waterford and stop there on Sundays?—Never, they pass through to Tramore to the seaside. There is very little drinking from excursionists in Waterford, indeed I may say none, for they make their way down to Tramore at once, and they rush to the trains as fast as they can.

6146. Do you think that if total Sunday closing were adopted in Waterford, there would be any degree of evasion of the law by drinking in unlicensed houses?—Of course it would be an inducement to unlicensed people, such as I have spoken of before to a certain extent, but it would be very easy to prevent it, although it would be attempted to a certain extent.

6147. You think that if the law is altered as you suggest, the evasion of the law could be prevented by you with your present force of constabulary?—Yes, the same number of men that are in the town of Waterford to do the duty at this moment, if Sunday closing were adopted,

Chairman—continued.

would do the duty as well as they do it this minute.

6148. Have you considered the alternative of shortening the hours of sale on Sundays?—Yes, I have. I think myself that if it was shortened to two hours it would cause confusion. If they got an opportunity of drinking for two hours they would rush at it and drink as fast as they could. If a publican be allowed to open his house at all on Sundays, I would allow him to open for three or four hours.

6149. Are there a good many people who want to drink then?—Yes, a good many people want to drink, of course. For my own opinion, if I had my choice, I should prefer Sunday closing altogether rather than partial closing on Sunday, and closing earlier on Saturday night. If I could not succeed in having them closed altogether on Sunday I would be satisfied, and I think it would be a benefit to the public if they were closed at 8 o'clock on Saturday night, and not opened on Monday morning till 10 o'clock.

6150. You would prefer total closing on Sundays to partial closing?—Yes; but I would prefer having them closed from Saturday night till Sunday, and the whole of Sunday also; that is what I mean.

6151. On Sunday and on Monday also?—No, until Monday morning at 10 o'clock.

6152. Why not; you gave us a great many arrests as taking place on Monday?—I do not think they do on Monday.

6153. Look at your own figures; what were the number of arrests that you gave us that took place on Mondays in the year 1876?—Two hundred and sixty-eight.

6154. Looking at those figures, do not you think it might be advisable to close the public-houses on Monday?—That would be going rather too far with the thing.

6155. Why do you propose to close them earlier on Saturday nights?—To prevent people spending all their money.

6156. People spend a good deal of money on Mondays, do they not?—They do, no doubt.

6157. You think that shortening the hours on Saturday nights would be a sufficient check?—My idea is that the families, the wife, and the children, would get more money if they were closed on Saturday night.

6158. The wife would get the money on Saturday, and she would not let her husband have it again?—Precisely so.

Mr. Richard Smyth.

6159. Were the publicans of Waterford ever requested to close their houses on any particular Sunday?—They were on Christmas Day and Sunday on one particular occasion; I think the Bishop got it done.

6160. The Bishop's persuasions were brought to bear upon the publicans?—Yes, and he got them to agree not to sell, and there was some sold all that time.

6161. Did the people then generally express any dissatisfaction at that?—There was no dissatisfaction expressed; indeed, I may say, I never heard an opinion one way or the other.

6162. In what state was the police-court next morning?—There were none the next morning in the court; I may say that the town was perfectly tranquil that day, remarkably so.

6163. When



Mr. Morris.

6163. When was it that that happened?—I think last Christmas-day and Sunday.

6164. Do you attribute that quietness to the fact that the public-houses were closed on that day?—Yes; they were closed on Sunday and on Christmas-day both.

6165. Do you attribute that to the bishop having made a special effort on that occasion?—I do.

6166. Did the whole population consider themselves upon their honour, as it were?—I think so; at least the publicans did.

6167. Can you inform the Committee with regard to the arrests, how many of them resulted in convictions?—Those are all convictions; there are many people drunk that are never taken up at all.

6168. Can you inform the Committee how many of those convictions were for second and third offences?—I could not tell you.

6169. Does your experience enable you to state to the Committee what proportion of the cases were those that have been convicted repeatedly?—There are certainly eight or 10 people that are constantly drunk, and are either in gaol or drinking.

6170. Can you give any idea to the Committee how many of the 1,459 convictions that there were in 1876 were due to repeated convictions of the same person?—I could not; it would be impossible to say that.

6171. Should you think 100 or 200 of them?—I should say that perhaps 100 might be the same persons.

6172. With regard to the Waterford people going to Tramore, do they take with them their provisions, or do they expect to find them at Tramore?—No; they eat their dinner, and then go off immediately.

6173. Then they expect to get refreshment at the houses in Tramore?—I dare say they do, but there is very little taken. I have made particular inquiry, but, of course, if they require it they can get it there.

6174. There they are in the position of *leod fide* travellers, are they not?—Of course they are.

6175. What is the distance from Waterford to Tramore?—Seven and a quarter miles.

6176. Can you give any reason beyond what you have already suggested to the Committee, why there were so many arrests on Mondays and Tuesdays as compared with Thursdays and Fridays?—It is impossible.

6177. I see that the lowest number in the week, except Sunday, is Thursday; do you attribute that low number to the fact that they have got very little money at that time of the week?—They have not much money at that time of the week.

6178. When are the men paid?—Some are paid on Friday and some on Saturday, early. There are 400 quay porters; those are terrible drinkers, and those men are paid every evening.

6179. Do the 400 quay porters form a large proportion of those persons who are taken up for drunkenness?—No; they are men who drink beer only; it is very hard work, and every quarter of an hour they stop and take their beer, but they do not get drunk so much, because they drink it at different times during the day.

Mr. Murphy.

6180. Can you, from your experience, generally speaking, say that a great number of the drunkards who are taken up on Sundays consist of habitual drunkards?—No; they are not habitual drunkards. I am quite satisfied that the habitual drunkards are not taken up on Sundays because they are in gaol on Saturday; they cannot be taken up; they are always in.

6181. Have you any idea whether those parties who are taken up on Sundays are not taken up for Saturday night drinking?—I dare say they might have begun on Saturday night and finished it on Sunday.

6182. Have you any record of the hours at which the arrests for Sunday drinking have been made?—I have not.

6183. Do you know anything at all about it?—Of course I do.

6184. Have you made any specification of the hours at which parties have been arrested on Sunday?—It is, generally speaking, cases that occurred in the evening.

6185. Are there any arrested on Sunday morning?—Very few.

6186. Are there any arrests on Saturday night?—There are, of course.

6187. From what time on Saturday night?—From 11 o'clock.

6188. How many are arrested after 11 o'clock on Saturday night?—It is generally at the clearing out of the public-houses on Saturday night; at 11 o'clock.

6189. Are there any arrests after 11 o'clock?—Very often.

6190. Are there any arrests on Sunday morning?—Very few on Sunday morning.

6191. What time on Sunday morning are they arrested?—Generally towards the middle of the day, when they get an opportunity, by the houses being open, to get drunk.

6192. Bearing in mind that the population of Waterford is 23,300, and that out of that population only 134 are arrested throughout the entire year on Sundays, would you or not say, generally speaking, that Waterford is a temperate city?—There are more drunken places than Waterford I am satisfied.

6193. Is not Waterford, on the whole, a temperate city?—It is not a very temperate city.

6194. Is it a temperate city?—It is, comparatively so.

6195. Are the majority of the population intemperate?—The majority are not intemperate.

6196. And but a small minority are intemperate?—A minority? The majority of the citizens of Waterford are as respectable people as there are anywhere.

6197. Then you would not say that the majority of the classes who frequent the public-houses in Waterford are intemperate, would you?—Not the majority of them.

6198. What proportion of them are intemperate?—That is a thing I cannot possibly say.

6199. Can you, judging from your own statistics and general information, say what proportion of the population of the city of Waterford who frequent public-houses on Sunday are intemperate, and what proportion are temperate?—I really could not give an opinion.

Mr. Haerd  
24 April  
1877.

*Lord Charles Beresford.*

*Mr. Howard.* 6200. Where was the meeting that you speak of held in Waterford?—At the town-hall.  
 6201. How long ago?—They were held at four different times.

6202. When was the last held?—It might have been a couple of months ago.

6203. You say that if a law came into force for total closing on Sunday, you do not think you would have any difficulty in enforcing it?—I do not think there would be any great difficulty.

6204. You would not increase the number of police?—No, not at all.

6205. You think you could do it with your 87 policemen?—Yes.

6206. Is it not the fact that when the total Sunday closing movement came into force in Wexford, the people came over from Wexford to drink in Waterford?—In the summer time. There is a headland immediately opposite Waterford, and a number of them were in the habit of coming over in a boat to Waterford every evening and coming over to Dunsmore, but that is the usual thing, coming over for an excursion.

*Lord Charles Beresford—continued.*

6207. But that was the real object, to get drink?—I do not know that they were kept out of drink on the other side, except I do know that the bishop used his influence in Wexford.

6208. I am told by a magistrate that such was the case; do you know whether it was true?—No; I know that they were in the habit of coming over, and I sent down men to prevent their coming across and drinking and fighting.

6209. Then they do drink when they come over?—They do, and fight too, desperately.

6210. For your own part you are also inclined to think that in order to really do any good, the public-houses ought to be closed early on Saturday?—I do think so.

*Marquis of Hamilton.*

6211. Do many sailors frequent Waterford?—A great number of sailors.

6212. Are many sailors included in these arrests for drunkenness that you have mentioned to us?—Scarcely any sailors; the moment a sailor gets a little hearty, he is shoved on board his boat and put into the vessel.

*Friday, 27th April 1877.*

MEMBERS PRESENT:

Sir Michael Hicks-Beach.  
Lord Charles Beresford.  
Mr. Maurice Brooks.  
Mr. Brown.  
Marquis of Hamilton.  
Mr. Ian Hamilton.  
Mr. William Johnston.

Mr. Marten.  
Mr. Meldon.  
Mr. Murphy.  
Mr. O'Shaughnessy.  
Mr. Richard Smyth.  
Mr. Sullivan.

THE RIGHT HONOURABLE SIR MICHAEL HICKS-BEACH, BART., IN THE CHAIR.

Mr. Alderman ST. GEORGE FREEMAN, called in; and RE-ENTERED.

Mr. Richard Smyth.

Mr. R. Smyth—continued.

6213. I BELIEVE you are a magistrate of the city of Waterford?—Yes.

6214. Have you been mayor of the city?—I was mayor in 1873.

6215. You have been also high sheriff of the city?—Yes; I was high sheriff last year.

6216. You are now in the town council?—Yes, an alderman of the town council.

6217. I suppose you take a prominent part in public affairs in Waterford?—I cannot say a particularly prominent part; I take an interest in matters going on in connection with the city.

6218. You have the means of knowing the opinions and habits of the people intimately?—Yes, I should say so. For many years I have been connected with the city, and I know a good deal about the habits, and wishes, and feelings of the people. I have known them since 1835, and have been amongst them, one way or another, since then.

6219. Have you turned your attention to the proposal for closing public-houses on Sunday in the city of Waterford?—Since the year 1873, the year I was mayor, I gave it very particular attention. It was a subject that I was interested in a good deal, and I have watched very closely all the movements connected with it from the first to the present.

6220. What have you thought about this movement, as to the propriety of closing or otherwise?—My own personal opinion is strongly in favour of total closing on Sunday, and I believe that I am corroborated in that opinion by the very large majority of the inhabitants of the city, of all classes and all creeds. It is one of the few public matters where there is a nearer approach to unanimity than I have ever known on any subject brought before the public in Waterford. I ground that opinion upon the fact of the public expression of opinion of the people of Waterford. I think one of the first meetings, if not the first, was held under my own presidency, when mayor, in the year 1873, upon a requisition signed by various classes of the people, and

Q 69.

that meeting was very largely attended in the town-hall, which is a large room, and it was all but unanimous. Again, in 1874, there was a public meeting held, when Mr. Alderman Commis was mayor, under his presidency; that I attended, and that was all but unanimous. When I say all but, there was not a single expression of dissent made me of, that I recollect, at any one of those meetings that were held in 1873 and 1874, another in 1875, and another in 1876, under Mr. Ryan; and I only recollect one incident in which there was an objection, and there one individual from the body of the house made some objection, suggested in reply to something, I think, which Dr. Scott had said. He was asked to come up to the platform, and freely told that he should then be allowed to propose a resolution, or speak as he pleased; but he did not do so, and with that exception that meeting was also unanimous. Therefore, having heard so much public expression on the subject, I think I am justified in saying that the feeling of the majority of the inhabitants is in favour of it. Again, I have personally spoken to a great many citizens of Waterford during the past two or three years, and ascertained their personal opinions. In fact, I have frequently made it the subject of conversation with them to ascertain the feeling of the people, not wishing that any prejudice of my own should influence me to take a public stand in the matter, if I were convinced that the majority were against me.

6221. Are you aware whether large numbers of the inhabitants of the city go to those public-houses on Sunday afternoons to drink?—No, I should say not a very large number, but I think those who frequent them on Sunday evenings are not the real working people of Waterford; it is more a class of young lads and young men who go there than really *hard* working people.

6222. Do young women also go with them?—Yes, that is a matter of course whenever the public-houses are opened.

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6223. Do

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Mr. R. Smyth—continued.

6223. Do you happen to know the opinion of those people who use these public-houses on Sunday, whether they would to any great extent be in favour of closing?—I think that many of those who use them would themselves not object to their being closed. I know that there is a class of people who frequent them that will always object to closing in any shape. I allude now to the habitual drinker of that class. I do not think we have an exceptionally large number in Waterford. I think the contrary; for in connection with our police convictions you will find the same parties come up again and again, and where the convictions will be shown at any time, there are a number of them the same parties convicted over and over again. That class will, of course, ever wish the public-houses to be open, and will try and get drunk, but I believe that a very large majority, I should say seven-tenths, of the working people of Waterford would really wish the houses closed.

6224. Were any meetings held with reference to the exemption of the city from the operation of the Sunday Closing Bill?—Yes, after the last Session, I think it was the latter end of 1876, the last public meeting was held; and one of the resolutions passed at that meeting was, that the citizens of Waterford objected to exemption from the Bill. I think the resolution was proposed by the Bishop of Cashel and seconded by a Catholic clergyman; that is my impression. I may not be actually right, but I can be set right if I am wrong upon that point, but there it was passed unanimously at a very large meeting. But I think we have stronger evidence than that in connection with Waterford, which was the plebiscite, or vote taken of the householders of Waterford; and in order that it might embrace the opinion of the greater number of the working classes, it included room-keepers, that is, lodgers commonly called, persons who not having houses of their own were nevertheless heads of families living in apartments and rooms. That plebiscite was taken of the whole city in February 1876, and there were 3,426 voters for total closing, and against 135. Of those who voted in favour there were 60 holders of licenses themselves, and of licensed holders there were 36 against it and 60 for it. Of course there was a certain number both of householders and of publicans who did not return the paper that was sent to them.

6225. From what you know of what takes place on Sunday afternoon, do not you think a good many people who signed that voting-paper, or members of the families of persons who have signed it in favour of closing, use these public-houses on Sundays themselves?—I think some of them do. I should not say the majority. I could not form an idea correctly as to whether it was a majority or otherwise, but I think in the case of a large number of those who signed it, members of their families use public-houses, and that they would be extremely glad to have them shut for that reason.

6226. You see a very small proportion of householders and room-keepers signed against the Sunday Closing Bill, the proportion being as 135 to 3,426; do you think that the proportion of the people of Waterford who use public-houses on Sunday afternoons would be something similar to that, or would there be a greater proportion of people using them?—I think there

Mr. R. Smyth—continued.

would be a greater proportion of people using them, but not of the classes who would be either room-keepers or householders, but more of the class of habitual drinkers.

6227. And the young people of their families, perhaps?—I took particular interest in ascertaining for myself the class of people who use the public-houses at the hour of nine; from half-past eight to a quarter-past nine on several occasions, notably last Easter Sunday, I myself walked round and saw the persons coming out of about 30 public-houses, and it struck me particularly that they were of the class either of habitual drinkers, or the better class of the young porter and errand-boy class. From one house I saw nine of those young men come out, some of them half drunk. Out of another I saw five of them. I think out of another I saw two or three soldiers and two or three girls; and at one counter I saw a child about eight years old served with drink just before the closing of the house.

6228. Is that a breach of the law?—I should take it that it was.

6229. But you did not consider yourself bound to prosecute that person?—No, certainly not. I would not have considered it my duty to do it at that time; I was merely ascertaining for myself what was going on, so far as I could judge, so as to form an opinion actually about the persons who frequent public-houses on Sunday evenings.

6230. Do you know anything about the illicit sale of drink being carried on in Waterford?—I have heard that there are some houses suspected of it. To my own knowledge, one scene of illicit Sunday morning drinking was in connection with the military canteen. That was brought to my notice, and I spoke to the late mayor about it, and he, I believe, brought it under the notice of the commanding officer at the time, and since that I have not heard any complaints on that subject. That there are illicit houses in Waterford, as in every city, is possible, and I think probable.

6231. Have there been many charges before the magistrates of late years against persons for illicit sale in prohibited hours?—I could not tell exactly the return on that subject. There have been some convictions, but the numbers I do not know; those sort of returns, of course, have been supplied to the Committee already by the police authorities, at least I suppose so, and therefore I could not speak of my own knowledge.

6232. Do you know the opinion of the clergy of the various denominations in Waterford?—I have spoken to them. The Catholic Bishop has very often expressed an opinion upon the subject; the Protestant Bishop has done the same, and attended the meetings, and the Catholic clergy have attended the meetings. I have spoken personally to many of them, and all the clergymen, without exception, of those that I have spoken to, on both sides, have been all for total Sunday closing.

6233. Do you think those clergy of the Catholic and Protestant churches would be well disposed unduly to restrict the people in their pleasures and luxuries?—Undoubtedly not; not in what they would consider legitimate. Some of them, of course, hold peculiar views on peculiar subjects,

Mr. R. Smyth—continued.

subjects, but I do not think there is any body of men more anxious to allow their people legitimate recreation than Catholic clergymen.

6234. As a justice of the peace, would you apprehend any danger to the peace of Waterford if the Sunday-closing law were carried out there?—None whatever, not the slightest fear of anything of the kind. If you had total Sunday closing I would not apprehend the shadow of a riot of any kind. I have never known the Waterford people to riot for drink; it is possible that they would, if you gave them a couple of hours on Sunday to get a sufficient supply to make them half drunk, and then try to turn them out of the public-houses, you might possibly have a disturbance or annoyance, and probably it would be so; but I do not believe you would have a shadow of that from total closing, for Waterford men, like most Irishmen, may riot when they are half drunk, but they will not riot for drink.

6235. Then you would not approve of allowing the houses to be opened for two hours in the afternoon?—Decidedly not. I do honestly believe that it would intensify the evil very much, for this reason amongst others. If they were closed in all the country round and in the immediate locality of the city itself, there are some public-houses outside the borough boundary, and if you leave these open for two hours within, while they are closed in the country round, we would have an influx of the drinkers from all the adjoining localities coming into Waterford and getting drunk as quickly as they can, and then probably producing a disturbance of the peace. On that point I have not any doubt as to what must be the result of two hours' Sunday drinking.

6236. Did the Act of 1872 to your knowledge produce any good effects in Waterford with respect to Sunday drinking?—I took some interest in that at the time, being mayor, and I ascertained by returns from our own police court that the number of cases during the six months of 1872, that is to say, the first six months of the year, previous to the short hours, the number of cases were 305, and the numbers on Sundays were 76, and the numbers on Saturdays were 129. That was previous to the shortening from seven o'clock to nine. Taking the corresponding six months of the following year, 1873, which was exactly the corresponding six months after the Bill came into force, the number of cases were 115 against 305. There were on Sundays 28 as against 76, and on Saturdays 87 as against 129. That proved to me at the time that even the shortening of the hours that much was an advantage, and I think that the logical conclusion must be that if shortening them that much was an advantage, shutting them altogether must be a vastly greater one.

6237. You do not mean to say that the hours were shortened on Saturday by the Act of 1872?—Certainly not. I only allude to the shortening of the hours; if I recollect it rightly, instead of leaving them open on Sunday night to 11 o'clock they were closed at nine, I allude to Sunday night only. As to Saturday night, that is another question altogether, and one of very great importance; the early closing on Saturday would be an immense advantage.

Q. 58.

Chairman.

6238. I think you said that there was a diminution in the cases on Sunday nights, which you attribute to the shortening of the hours from 11 o'clock to 9?—Yes.

6239. But you also told us that there was a diminution in the cases on Saturday nights, did you not?—On Saturdays there was a diminution also that year.

6240. If the hours were the same as I think they were, what would you attribute that to?—The Saturday diminution was not so very large as it was on the Sundays; the diminution on Sunday was as 28 is to 76, whereas the other was only as 87 is to 129.

6241. Still that is a very considerable diminution?—It is.

6242. What do you attribute that to?—Of course I cannot attribute it to any immediate cause in connection with the shortening of two hours.

6243. Can you find any cause for it?—I do not know what the returns of the whole year were, whether the drinking altogether was less or not; that I do not know. What I studied most particularly was the one point which I have alluded to.

6244. What I want to direct your attention to is this; might not the same cause, whatever it was, which operated to lessen the number of cases on Saturday night, also have operated on Sunday night?—It might.

6245. And it probably did?—I think the other cause operated more.

6246. But there must have been, must there not, some other cause at work besides the shortening of the hours?—If the returns are correct, of course there must have been some other cause, certainly.

Mr. Richard Smyth.

6247. Did I understand you to say that keeping the public-houses open for two hours on Sunday afternoon would make things worse than they are now?—I do think so. I think that actually opening them for two hours would cause more drunkenness than the present five or six hours that they are open.

6248. Cutting off two hours' drinking you think had a good effect, but cutting off four or five hours' you think would have a bad effect?—I do not think it would have a bad effect, but I think that leaving them open for two hours would more than counteract the gain which you would receive from closing them the other four; that is the impression on my mind. I do not know whether I convey it correctly or not, but the impression on my mind is this, that the actual evil in a city like Waterford, situated as it is, and with the class of people who drink in it, while taking off four or five hours might unquestionably improve the state of things with regard to the quantity of drink consumed, I think it would actually increase the crime of drunkenness. I hope I convey exactly the one idea on my mind, which is this, that the parties who habitually use the public-houses in Waterford, for mark you the people in Waterford who use public-houses are not like those in England, who send out for their dinner beer, and all that sort of thing; they are people who never as a rule drink at their meals, they eat their food and go to the public-house for drink. And great num-

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Mr. R. Smyth—continued.

bers who drink there on Sunday would not have any drink on Sunday at all. They would not seek it, or need it as an English community of the same number would, inasmuch as they here use it as food; there they do not; they combine it with recreation, and they use the public-houses for that purpose, not for an article of food as beer is used here, for beer there is supplied in bottles, and any one who did wish to use it would have it in that manner.

6248. Do you mean to say that they would drink as much in those two hours as they have usually done in seven hours?—Decidedly not. That is just what I wanted to guard against, the conveying of that impression. I mean to say, that there is much more drink consumed by the long hours by a great number of persons who do not drink to be drunk, but that if the public-houses were open for the two hours only you would make many of those persons actually drunk, because they would endeavour to consume the quantity in a shorter time, and I believe that you would make more drunkards, although you would possibly have less drink consumed.

6250. Have you any knowledge of what took place in Waterford on last Easter Sunday with regard to drinking?—I alluded to that a few minutes ago. I said then that I saw for myself various things. I saw a number of persons coming out of the public-houses, and I have seen the same thing on other Sunday evenings.

Chairman.

6251. Have the Corporation taken any part in this matter?—I think there was some petition signed in favour of it. I think they adopted it some time ago. I am not quite certain on that point, but I know that within the last two months there was a petition brought before the corporation, and that it was rejected under very peculiar circumstances. There were only, I think, some 16 or 17 members present of the town council at the time. Eight voted for the petition, and eight voted against it. I was chairman in the absence of the mayor. Of course I had very much pleasure in giving my casting-vote in favour of the petition. Then it was represented to me that there was one gentleman in the room, who is himself a licensee-holder, whose name had not been called by the town-clerk, that he had not recorded his vote, and that therefore there was no tie. Though I had declared the numbers, yet, rather than there should be any doubt of the thing being unfairly done, I said, "Well, then, I withdraw it, and I will allow him now to record his vote," which he did. It was on that ground only that the petition was rejected by either eight or nine members out of a corporation of 40.

6252. Do you not think that the corporation represents the popular feeling of the place?—The whole corporation, I should say, does; but of that size, I think, two or three were connected with the trade itself.

6253. I suppose that notice was given of the consideration of the petition, was it not?—I think not.

6254. Do you bring on your business in Waterford without any notice?—Yes, all that class of business. It comes up under the form of correspondence, and is generally dealt with at

Chairman—continued.

the time. Sometimes it is referred for notice of motion to be given.

6255. Was not it known beforehand that the Corporation was to be asked to petition in favour of total Sunday closing?—I think not. As well as I recollect, I do not think there was any notice given to the Corporation on that subject.

6256. At any rate, those who moved in that petition did not take much pains to obtain the opinion of the full corporation upon it?—I do not know that those who moved in it at the time were aware that it would have been that day brought before the council. I do not think they were, so far as my knowledge goes.

6257. I suppose that those who moved in the matter, moved that the petition should be considered, did they not?—I think not; as well as I recollect, when the correspondence was read, this petition came up as a matter of correspondence; I am now speaking from memory, and I may not be accurate, but as well as I recollect, it was then proposed by some member of the corporation, and seconded by some other gentleman present, that the petition should be then and there adopted, and it was rejected in the manner I tell you; but I am perfectly sure that had one-half of the corporation been present, and voted, it would have been carried; I mean to say, had there been 20 present, I think it would have been carried; as well as I recollect, there were not more than 19 or 20 present, and of those persons, one, I think, did not vote at all.

6258. When did this happen?—Within the last two months, or somewhere about that time; it was certainly within the last three months.

6259. Was not a similar petition rejected by the corporation before?—I cannot answer that question from my personal knowledge; I do not remember; it may have been so, but it is not my impression that it was; attending both these public boards, I sometimes possibly confuse one with the other; I think there was one passed at the Poor Law Board.

6260. Did you take any part in the last Parliamentary general election at Waterford?—No, I do not remember taking any particularly prominent part; of course I took the part of a citizen, and voted on the occasion.

6261. Do you know if the question of Sunday closing at all came before the electors of Waterford?—I know that it did in the last county election come before them, and in the city election I think it did; as well as I recollect, I think that both of our Members were questioned as to their opinions previous to it; I know that afterwards, since the election, there was a memorial sent to our two Members, signed by nearly one-half of the electors of Waterford, that is one-half of those upon the roll, signed by over 700 electors. This memorial was presented to our City Members, asking them to vote for Sunday closing; I think there was some little difficulty in getting an audience with them on the subject, to have it presented by deputation; and if I have been correctly informed, I think it was presented to them within the walls of the House.

6262. But that was since the election?—Yes, since.

6263. I am speaking of before the election; I think that there were five candidates at the last election, were there not?—Yes.

6264. Did

Chairman—continued.

Chairman—continued.

Mr.  
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6264. Did not all of those five express their views upon the subject of Sunday closing?—I am not sure on that subject. I do not believe that the cause of Sunday closing had very much to do with their return, because at the time there was a very strong agitation on another subject which influenced the vote for them more, I believe, than any other thing.

6265. Do you remember whether it was not the fact that the candidates who were in favour of Sunday closing happened, at any rate, to be rejected, and the candidates who were against it were returned?—I have accounted for it by the remark I have just made, that I believe the question then before the electors was one on which party spirit was so very much excited that it quite led away for the time being all of what could be considered lesser questions by the parties who were so much involved in it.

6266. Sunday closing, in fact, was not very much cared for by the electors?—I do not think that at all follows. Because one thing is much cared for, it does not follow that another is not cared for. I think that it was very much cared for indeed, but I think that the overwhelming agitation, as it were, at the time quite superseded other matters.

6267. You gave us some figures about the house-to-house canvassing in Waterford; will you be so good as to repeat them?—I should say that these two returns I have copied from a newspaper slip that I cut out, I think, of the "Alliance News," which gives a return of all those in Ireland. The numbers of that canvass were what I have stated, 3,425 for, and against 195. I think that Waterford made the most decided expression of any city in Ireland; if not more than any town in Ireland, certainly more than any of the cities; the proportion was very much greater.

6268. How many householders and room-keepers are there in Waterford?—That I cannot answer exactly.

6269. Roughly speaking, how many?—I can scarcely say from memory. A reference to any of the ordinary returns, or to "Thom," will tell in a moment, but I cannot from memory say what they are; but I know that the numbers that did not vote would, of course, make it up.

6270. Have you never looked to see what sort of proportion of the 3,425 persons whose votes you have given bear to the total number of householders and room-keepers in Waterford?—I have not studied that point. I have not examined into it for this reason, that when I saw the numbers so great in favour of it, and the expressions so few against it, I considered that quite sufficient to justify me in feeling that the majority was in favour of it by a very large number. I have not an approximate idea of what the number of householders are in Waterford.

6271. You would be satisfied with it as a test of the feeling of Waterford, supposing there were as many as 20,000 persons entitled to vote, would you?—I am quite sure that there could not be that, inasmuch as the total population of the city is only about 23,000, and, therefore, when we have 3,425 householders, room-keepers, or heads of families, out of a total population of 23,000, I think it is a very large proportion.

6272. That does not take any account of the 0.59.

young persons of whom you have told us as frequenting the public-houses very largely?—I should rather think that there are not very many of them in it, because most of those that I saw were not likely to be householders. I think the greatest evil of all is getting those young men at their ages into drinking habits, and they are occupied so much on other evenings that they would not have so much time for it as they have on Sunday afternoon.

6273. You think it is so much for their good that they should not have the opportunity of drinking that you would not care very much for their opinion on the subject?—I think that every individual capable of judging would be entitled to have his opinion consulted upon a matter applying personally to himself; but any repressive measure must not be considered in the light of a hardship, or a repression on the individual; because all criminal laws are restrictions upon the individual, and the persons capable of judging and forming those laws should not be guided, I take it, by the opinion of young persons with crude ideas who are not capable of forming an opinion upon the subject as to what would be for their good or not.

6274. How many publicans did you state voted on the subject?—The return is 80 for total closing, and 36 against.

6275. Are you aware that there are somewhere about 220, I think, license-holders in Waterford?—No, I do not know that; I think it must include spirit merchants. I think that in Waterford there are not more than 150 publicans properly so called; there are spirit grocers and others; but in Waterford the greater number of licenses are six-day licenses; and many even holding seven-day licenses voluntarily close on Sundays.

6276. We were told on the last day of the Committee meeting that there were 73 six-day license-holders and 24 publicans who had seven-day licenses who close voluntarily on Sundays?—I do not know the exact number. I know it was something approximate to it.

6277. That would account for the large number of signatures by publicans in favour of Sunday closing, would it not?—In one sense it would; and it shows that their opinion is strongly in favour of Sunday closing when they close themselves; they give a manifest proof of it. The law at present acts unequally to a certain extent in connection with that, whereas if Sunday closing be made universal, the law would be equal on all.

6278. I see that the population of Waterford, in 1871, is given as 29,977, inhabiting 4,538 houses, so that there would be 4,538 householders besides the roomkeepers, who, I suppose, would form a considerable number in addition?—No, not a very considerable number. The great majority of them, in Waterford, live in small cottages in the outskirts of the town. But 3,425 out of that is a very large number who expressed their opinion freely, no compulsion of any sort being put upon them. There was a document sent round to each house, asking them to sign yes or no. The question was, "Are you in favour of the entire closing of public-houses, beer-houses, taverns, and spirit groceries on Sundays?" and when those returns were called in, those who collected them made a declaration before

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before a magistrate that they had not used any improper means to get the signatures, and that they were fairly signed.

Mr. Murphy.

6279. You said that there were four public meetings held in Waterford in the years 1873, 1874, 1875, and 1876?—I think so.

6280. You were present at some or all of these, I believe?—I think at all of them.

6281. Have you any idea what was the number that attended these meetings?—I should say about 500.

6282. They were held in a large room, I take it for granted?—Yes, I might say from 500 to 700. I think the room would hold 700 people.

6283. It was quite full, I suppose?—One of the meetings, I think, was held in the lower room, which has since been changed into a theatre; that was fairly filled, quite full, in fact, I might say.

6284. It could not have held more?—I would not say that it could not have held more. It would be a very closely filled-room that you could not pack two or three more in.

6285. You say that it would hold about 500 or 700, and you say that there were 500 or 700 people there; therefore, I take for granted, it must have been quite full?—That depends upon what the application of that is; I said fairly full.

6286. What class of persons attended this meeting?—Every class; but a large majority of the artisan and working class.

6287. Were more than one-half of the meeting of the working class?—I should say so.

6288. Who got up those meetings?—They were got up, I think, under the auspices of the Sunday Closing Association, as well as I remember; in each case, I think there was a requisition sent to the mayor to call a meeting, signed by a certain number of inhabitants.

6289. Who procured the inhabitants to sign that requisition?—I think the agent of the Temperance Society in Waterford was one of the men who undertook the work, with the sanction, and by the direction of such men as myself and others in Waterford.

6290. When you say the agent of the Temperance Society in Waterford, is there an independent society existing in Waterford, or is it a society in connection with the Central Association?—There were four meetings mentioned.

6291. The first was in 1873, the next in 1874, and the next in 1875?—There has been a change since; Waterford was, in the earlier of those periods, in 1873 and 1874, in connection with the Irish League; since then, we have formed what we call the South of Ireland Temperance League; and since that formation, it has been under the auspices of that league, which is formed of local men only.

6292. Is it in connection with, or is it affiliated in a measure to, the Central League?—Not affiliated in any way; it is, as I have said, an association working for what they believe to be the general good.

6293. Do they correspond with the central league in Dublin?—I think so.

6294. It was at the instance of this association that that requisition was got about and signed?—

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I cannot say that exactly. I said a few minutes ago that it was at the instigation of some men, such as myself, in Waterford who were interested in the matter, and we made inquiries as to how we could ascertain the opinions of the Waterford people, and we adopted this plan.

6295. Did any of those working classes speak at the meeting?—One man at one meeting; and at only one I recollect. I alluded to that when describing the meeting before.

6296. It was in opposition to it?—Yes.

6297. Did any of this large majority of the working classes who attended speak in favour of it; did any of them propose or second a resolution?—I cannot for the moment answer yes or no, till I try to remember, because being at four or five public meetings I cannot remember who did or who did not; and my impression at present is that there were no working-men, such as is usually understood, that spoke.

6298. And you will not find yourself one way or the other, I suppose?—I do not think that there was one.

6299. I think you stated that you are of opinion that *few* *few* working people do not go much to public-houses on Sundays?—I was speaking of Sunday nights. The better class of working people do not frequent public-houses much on Sundays. That is my belief as far as my own impression goes.

6300. You also stated that the same parties are continually coming up again and again, the "habitual drunkards" were the words you used, and I think you gave us a statement, or it was handed in the last day, that the total number of parties arrested throughout the entire year of 1876 for being drunk on Sunday was 143?—I did not give that return; it may have been handed to the Committee.

6301. Allow me to ask you this general question; taking into consideration the fact that the inhabitants in the city of Waterford number very nearly 24,000, and taking into consideration the fact that but 143 persons in the entire year were arrested for being drunk, are you or are you not of opinion that the inhabitants of Waterford are a temperate or an intemperate class?—As compared with other cities, and judging other cities.

6302. I am not asking you about other cities but Waterford?—You say is it temperate or not, I cannot define that without comparing it with others.

6303. What I ask is this: taking the fact that 143 persons out of the entire population were arrested within an entire year, and comparing that with the population of Waterford, are you, or are you not, of opinion that the population of Waterford are temperate or intemperate?—Temperate decidedly. It is on other grounds I form an opinion besides that. I believe it stands very well indeed in that respect.

6304. You also stated that one of your objections to partial closing on Sunday, that is to say, leaving the public-houses open for two hours, was, that the people in the country parts would be coming into the town on Sundays and getting drunk?—That is one of my objections to it.

6305. Is it your deliberate opinion that the people in the country about Waterford would come in deliberately to Waterford to get drunk; is that your opinion of the habits of the people?

—I believe



Mr. Murphy—continued.

—I believe, with extremely few exceptions, no man enters a public-house with the intention of getting drunk; therefore I do not believe that they would enter it with the intention of getting drunk; but I do believe that a great many of them would get drunk.

6306. Do you believe that the majority of people entering public-houses do get drunk?—Yes; if you say frequenting, that is habitually going there, I say yes.

6307. Do you believe that the majority of people who enter public-houses on a Sunday get drunk?—No.

6308. How do you reconcile then that fact with your statement that if the public-houses were open on Sundays for two hours the people of the country would rush in, I think you said, to get drunk?—I reconcile it with a known fact occurring in the neighbourhood where Sunday closing is in operation in one district, and where they cross the river to the opposite side, where it is not in operation, and get drunk.

6309. Then they come out of the places where the public-houses are voluntarily closed on Sunday, and where temperance, by reason of that voluntary closing, is supposed to prevail, into the places where the public-houses are open, to get drunk; is that what you say?—Some of them do.

6310. If it be the fact, as you have stated it to be the fact, that the people of Waterford are temperate, and that there is no abuse of the public-houses on Sunday, what is the reason for this legislation, speaking generally?—Excuse me; I did not say the latter clause, that there is no abuse.

6311. Is it not a fact that there cannot be an abuse if the people are generally temperate?—If you have only one murder in a year, I consider it abuse, even though the people are generally not murderers.

6312. If there were one murder in a year, would you proclaim the entire district, and take measures against that one district, and class every one of them as murderers, because there may be one murder in a year?—Undoubtedly not; I am merely answering your question.

6313. Supposing that a small minority of the population abuse instead of use the public-houses, would you therefore class the whole of the population in such a restrictive measure as would be necessary in consequence of the abuse by the few?—Applying again the same illustration, you would not class all as murderers or any other crime (I am merely quoting that hazard) that there is legislation against. You would not class all men as thieves because there is legislation against stealing, nevertheless that presses upon the man who is guilty of crime; and so I would have it in the other case. I would have them closed on Sunday, and not have an Act legislating what is, in my opinion, a mistake for Sunday.

6314. Are you, or are you not, aware that there is legislation affecting drunkards, as such?—Certainly; it was because of those that I alluded to I said.

6315. Are you not aware that the Legislature punishes drunkards as drunkards?—Yes, it tries to.

6316. Assuming that there is legislation against drunkenness as drunkenness, do you or not think

Mr. Murphy—continued.

that there being legislation against drunkenness, therefore the law would be justified, because a minority of the population get drunk, in placing restrictive measures upon the whole of the rest of the population who do not get drunk?—Undoubtedly they would be justified, as much as they are justified in restricting anything on which there is a restrictive law; take gambling, if you like, as an illustration.

6317. Do you consider that it is a crime to be in a public-house?—Certainly not.

6318. Do you consider it any crime if people enter public-houses for refreshment, and do not abuse them?—Certainly not.

6319. Do you consider that, because a minority abuse the privileges which they have of being allowed by law to take refreshment in public-houses, therefore the majority should be punished for them?—Yes, certainly; in all restrictive measures it is so, if you call it punishing the majority, which I hold is not the case.

6320. I think you stated that it was your opinion that if the hours were shortened a great many persons who do not get drunk now would get drunk then?—A very probable result, but all such evidence is but speculative.

6321. I am merely asking you for your opinion?—Yes; whereas the results prove the good of Sunday closing, absolute results, figures, and facts. All the evils supposed to arise from the closing of public-houses are speculative, and in any place where they have been closed those results have not followed.

6322. You are aware that evidence has been given here, that at such hours when the public-houses were not open at all, there was a greater amount of drinking, if possible, going on than when they were open?—I do not believe such evidence; I believe there was a great deal going on.

6323. Are you aware that there was a great deal going on when the public-houses were not open at all?—I am aware that there was some; I would not say a great deal; I would say very little, compared with what was going on when they were open. If you will allow me to go outside Waterford, I can show the results of Sunday closing in the adjoining districts.

6324. You stated that there was a memorial, I think signed by 700 electors, presented to the representatives of the city of Waterford?—So I believe.

6325. You heard that?—Yes.

6326. Do you know anything about it?—I know that I signed it myself, as one of them; I know that much about it.

6327. Who presented that memorial to you for signature?—I could not tell you, from memory.

6328. I do not mean the name of the person, but from what quarter did it come?—It came from the same parties that all the other movements came from, myself, and others working with us, and through the agency of the society.

6329. That is to say, they came from the Temperance or Sunday Closing Society?—No; they came from us as citizens of Waterford, distinct from that, and we used that as an instrumentality.

6330. I do not well understand you?—I mean to say, if I understand your question right, you

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would assume that it was the Sunday Closing Society that instigated the thing altogether.

6331. I want to know from what quarter that memorial emanated; it must have come from some quarter, surely?—I think from the same as the other.

6332. What do you call "the same"?—From the friends of the Sunday Closing Association, and their agent was the instrument used. That, of course, I stated all through.

6333. How was that memorial got up; how were the signatures procured to it; was it by going about from house to house?—Yes, I think so.

6334. The agent of your society?—I cannot answer that question certainly; I do not know that.

6335. You say that you took a part in it yourself?—Yes.

6336. Cannot you answer me how the thing was got up?—As well as I recollect, I do not know that it was absolutely conveyed from house to house. I do not want to conceal anything whatever, but I am afraid to say a thing that I am not really sure of.

6337. I take for granted that you can answer me this: you were interested in that memorial, and you signed it yourself; was it brought to your house to be signed?—I think it was.

6338. Was the same process adopted with every other elector; was it brought to their house to be signed?—I think it was. I really cannot answer the question now; it is not through wanting not to answer it. I would answer it with all my heart, I am sure; as well as I remember, it was taken round to the various electors of Waterford; that is my impression at the moment.

6339. Can you answer me this: was that memorial the emanation or result of any public meeting that was held; did it come directly as a resolution, or was it adopted at any public meeting of electors?—I am not sure whether it emanated from a meeting or not. There was a very strong expression of feeling at a public meeting on the subject, and, as well as I recollect, it did emanate from that meeting; but that is a point I am not quite clear of.

6340. You stated that it was a memorial of the electors of Waterford and no one else?—Of the electors, certainly.

6341. All that signed it were electors?—Certainly.

6342. No other person signed this memorial but electors?—It was not the intention that any one else should sign it, and I do not think they did. I cannot state that every signature was the signature of an elector, but I believe it to be honest. I believe every signature was a bona fide signature.

Mr. Richard Sayth.

6343. Was it impugned by anybody?—Not at all. Of course it must be accepted always for what it is worth.

Mr. Murphy.

6344. You stated that this was a memorial signed by about 700 electors; is not that a fact?—Yes.

6345. I want to know if that memorial of

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electors emanated from a meeting of electors?—Certainly not.

6346. Did it emanate from any public meeting directly?—That was the point which I could not answer, I do not know. I think it did.

6347. Was there a notice to the people of Waterford that the electors of Waterford would meet for the purpose of adopting a resolution to be presented to their members?—I think not. I do not remember any such.

6348. I take it for granted, therefore, that this memorial was the production of the results of the efforts made by the association who were in favour of this Sunday closing?—Undoubtedly.

6349. And it was presented to the Members for Waterford; it was not then, in other words, a spontaneous emanation of the opinion of the people at large at a public meeting assembled?—It was an expression of opinion, not spontaneous, for they were asked for it through an instrumentality suited for obtaining the opinion of the people.

6350. Of those who signed it?—Yes.

6351. What class generally signed it?—I should say one half of the signatures were of the lower class of householders. I am speaking from recollection. I cannot answer the question positively. I should say half of them were so-called working-men; a good class of men.

6352. Who frequent public-houses?—I do not know as to that. I believe a good many of them do. You are assuming for the moment that I know all the signatories to it, but I do not.

6353. Were they people who might be supposed to use public-houses?—One half I should say were.

6354. And you think half were a class who do not use them?—No, I would not go to that extent certainly, for I believe every class uses public-houses in one shape or other.

6355. Do you?—Undoubtedly. I have no objection to go into an hotel and take a glass of wine.

6356. I do not say hotels?—Excuse me, an hotel has a publican's license, it is the same case. I classify it in the same way.

6357. I am speaking of what is popularly known to be a public-house?—I do not put it in that way. I take every hotel where I should go in and get a glass of beer to be a public-house. I have often gone to them, and hope so do so again.

Mr. Martin.

6358. With regard to the cases where persons come in from the country, or parts where voluntary closing prevails, to other parts, can you give the Committee the names of the places from which the people have come, and to which they have gone, for the sake of obtaining drink on Sundays under those circumstances?—Yes, from general information on the subject. The River Suir, which runs through Waterford a little below it, divides the counties of Wexford and Waterford. In the Wexford diocese, including Arthur's Town, Ballyhack, Duncannon, and other towns on that side of the river, many public-houses are closed voluntarily by the wish of the Bishop, and the people do come across on Sunday, both to Passage and Check Point, at the opposite

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opposite side of the river, and obtain drink there.

6359. Do they make a practice of that?—So I have been informed by those who have seen them in Passage.

6360. In considerable numbers?—In many cases. When you say considerable numbers, the population of those towns is very small.

6361. Do you suppose that they are persons who would make excursions from their own towns if their own public-houses were open?—No, not at all that class.

6362. You think they go for the purpose of obtaining drink?—I do believe that many go across for the purpose of obtaining drink.

6363. Not for the purpose of getting drunk?—As I said before, very few go for the purpose of getting drunk.

6364. With regard to the number of persons proceeded against for drunkenness in Waterford, can you inform the Committee how many persons were proceeded against, as compared with those who were convicted; that is to say, was there a large number proceeded against who were not convicted for drunkenness?—I think the majority proceeded against were convicted.

6365. Can you inform the Committee what proportion you would say were convicted; would it be about 80 per cent. of those who were proceeded against?—I rather avoided in any way making myself up in statistics of that class, well knowing that they would be obtained from men under whose hands they pass, such as the county inspector and other men; but I believe that a large majority of the men arrested for drunkenness are convicted, at the same time I believe there are a great number who are in a state of semi-drunkenness that are never arrested at all. I do not at all believe that the arrests represent the drunkenness.

6366. You think that from your observation that 80 per cent. of those arrested would be convicted?—Undoubtedly.

6367. Can you give the Committee any explanation of the apparently large number of persons proceeded against in Waterford for drunkenness, as compared with towns similarly situated in England; are the police more vigilant, do you think?—I cannot say what they are in other towns; in Waterford they are very vigilant.

6368. Perhaps I may refer you to the case of Cardiff, which is similarly situated to Waterford in its extent?—I do not think that any English town will bear any fair comparison with Waterford, as the habits of the people are so very different; I could not form any opinion on the habits of an English town.

6369. May I just give you an example: Cardiff, having a population of 39,000 in the year 1874, had a total number of convictions for drunkenness of 377, according to the official return, which shows a much smaller number of cases of convictions for drunkenness than are reported to us from Waterford, which has a population of about 23,000, and where the convictions in 1874 amounted to 1,492 in the city?—I believe the police there are extremely vigilant, and very few cases escape conviction.

6370. Can you afford the Committee any information or any opinion as to the different conditions which exist in Waterford, as compared  
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with towns similarly situated in England, so as to enable the Committee to form a comparison between the two?—The large towns in England are the only ones that I am familiar with; I do not know much of the smaller towns in England at all. I know that one great difference between the two is the fact, that the great mass of the Waterford people, as of the Irish people generally, do not take beer or porter with their meals; in an English town I believe it to be the opposite. I cannot say that it is so, but I believe it from my knowledge of English habits, so far as it goes, that few Englishmen of the same class will sit down to dinner without having beer. I do not believe, in the city of Waterford, there are 20 families who send out habitually on Sunday for their beer, and I doubt if there are 10. There are a few people connected with the English navies working on the railways that do so, but as for the families, my own impression is, that there are certainly not 20, and I doubt if there are 10, in the whole city of Waterford who send out habitually for beer for their dinner.

6371. Or for their supper?—Supper is a meal which is not known in Ireland amongst that class of people.

6372. What do they take at their meals at Waterford on a Sunday; is it water?—I do not know that they drink anything with their meals; when they do, it is bottled ale or porter; they rarely send out for the other.

6373. What is the dinner hour of the lower class on Sunday?—The lower class have their dinner, I should say, about 2 o'clock.

6374. Do the 400 quay-porters whom you have referred to, do you suppose, send out for dinner beer on Sunday?—I am quite sure that the enormous mass of them do nothing of the kind; they drink in public-houses, and that is all. In the case of one man it was sworn before the magistrates that he had drunk 40 pints of beer during the eight hours that he was carrying corn out of a vessel.

6375. That would not be on Sunday?—No, that would not be on Sunday; drinking is the only trade that is licensed for Sunday.

6376. Portage is very hard work, is it not?—Very hard work.

6377. In Waterford, on Sunday, is there much appearance of drunken people about the streets?—No.

6378. At what period of the day is there the most, if any, appearance of drunkenness?—On Sunday night, from 9 o'clock to 10.

6379. Supposing you had the choice offered you of earlier closing on Saturday on the one hand, and total closing on Sunday on the other, which would you say would be likely to promote the cause of temperance most, which I assume everybody is anxious to promote?—The total closing on Sunday, I think, would have a better effect in promoting temperance amongst the working classes, and enable them to come to their work on Monday in a better state, and more fitted for their work. I believe that there is an immense advantage in closing early on Saturday; I go thoroughly and heartily for that; everything shows us that that would be an advantage, but because that would be done, the other should not be left undone.

6380. I am asking you which you would choose, supposing you had the alternative presented

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sented to you, and you could only take one?—If I had only one, I should take total closing on Sunday.

6381. Can you explain how it is that there are so many arrests for drunkenness on Mondays and Tuesdays, comparatively speaking?—That is a manifest fact; the men have got their money in their pockets on Saturday night, and they will spend it; and the result is that they drink on Saturday nights, and also drink on Sunday; and they are not fit on Monday to come to their work, and they get a little on Monday morning, to keep the steam up, as it were; that is a very natural result.

6382. Assuming your views are correct, can you explain how it is that there are so very many fewer arrests for drunkenness on Sunday than either on Saturday, or Monday, or Tuesday?—I do not know the exact statistics; but there are fewer, I should say, on Sunday, as a rule.

6383. The figures given to us are, on the Saturday 355, on the Sunday 134, on Monday 268, and on Tuesday 219. I ask, can you explain to the Committee your own view how it is that the arrests on Sundays are so very much less than those on the Saturday, or on the Monday or Tuesday; you see it is only one-third of those on Saturday, and only one-half of those on Monday and Tuesday?—I think the fact that during one half of Sunday they are already closed would account to a great extent for that. On the other days they are allowed to drink morning, noon, and night; whereas on Sunday they are not able to get it until 2 o'clock, or are not supposed to get it, so that I think that there being more than half of the day closed would quite account for half the number being arrested.

6384. You attribute the amount of sobriety, comparatively, on Sunday to closing for half the day?—That is one of the causes; there is one item in that which must not be overlooked in connection with a southern Irish city. There is a very large number of persons who would drink, but who are very particular in observing their Sunday duties; and I do believe that the Sunday ministrations of the Catholic clergy have very great influence on the people in keeping them sober on Sunday; and I believe that is illustrated by the fact that during the months of Lent, at that particular season of the year, it happens there are a very much less number of arrests for drunkenness, and I attribute that to the fact of the very great influence for good which the Catholic clergy have over their flocks.

6385. Supposing that the hours on Sunday were to be reduced, and not total closing on Sunday, can you suggest to the Committee what hours, in your opinion, would be preferable?—I could scarcely suggest much, because I am so strongly in favour of total closing. I believe that in all such cases half-measures do more harm than good, for this reason: it brings discredit on the whole system, when it can hereafter be pointed out that the hours were shortened, and the expected results have not followed. For that reason I would say, strongly, that the total closing is the only true test of the matter, and, as our laws are not those of the Medes and Persians, I say a trial of total Sunday closing would be the only fair test.

6386. With regard to the working-men's

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opinions, have you taken any means personally to ascertain the views of the working-men?—I stated, in the first instance, that I have made it for the last two or three years a matter of personal inquiry with a great number of all classes. In my surgery I would have perhaps from 10 to 20 working-men, or members of their families, every morning from 9 o'clock to 10; and during that hour I have repeatedly made it my business to inquire the feelings of those people with regard to it, and I unhesitatingly say that 19-20ths of the families of all the families that I have spoken to on the subject are strongly in favour of it, and that I dare say I might use the same proportion as regards the men, but I would certainly say that 8-10ths of the men that I have ever spoken to of that class are in favour of it.

6387. Of those who use public-houses?—People who really do use the public-houses in the sense in which I presume the honourable Member for Cork meant a while ago.

6388. Do those persons that you have conversed with express a view with regard to themselves, or with regard to others; do they desire to be kept out of the temptation personally, or do they express it with regard to what they think would be beneficial to other persons?—Those that I have spoken to, I have asked their own personal opinion. In some cases I asked, "What is the opinion of your neighbours?" but I never set much faith on mere reports; I take the individual opinion of a man as being much more reliable.

6389. My question was, whether their opinion was grounded upon their anxiety to be kept out of temptation themselves, or in the view that the closing of public-houses would be beneficial to other persons?—I cannot exactly say what they grounded it upon. I should suppose that they grounded it upon their own personal conviction, believing it to be better for themselves and their families. Of course there are a very large class there who, as I said before, will get drunk any hour and any time, if they can, and those, of course, are strongly in favour of leaving the houses open, but they are in the minority.

6390. Do you think they would obtain drink if the public-houses were closed?—I think they would have very great difficulty, if the police did their duty as well as I believe they are inclined to do in Waterford, and if the Legislature gave them additional powers for obtaining convictions in unlicensed houses. I believe that one of the great causes of the drinking in those unlicensed houses has been the great difficulty of getting convictions. I think that is one of the most essential points, to give additional facilities to the police to obtain convictions, such as in the case of the Gambling Bill, or in allowing their search-warrants to stay longer in force, or such other matters as the Legislature would think proper to adopt. But something of the kind is very strongly wanted, for it is very hard to obtain a conviction now, inasmuch as the law requires, I think, actual proof of the sale of the liquor; that is extremely hard to obtain. Whilst there is no doubt whatever in the minds of the police, when they enter one of these houses, that the drink will be there, and in some cases the parties actually drinking, yet they have not the power of proving the sale; and I think, if the onus of proof was thrown on the parties found

Mr. Marten—continued.

found in suspected houses, it would be an improvement upon that point. These are merely thoughts arising from the actual working of that law when they are brought before us so often, when we are firmly convinced of the guilt of the parties, but yet it is not sufficient legal evidence upon which to convict.

Lord Charles Berezford.

6391. There is no doubt, I suppose, that people come across from Wexford to Passage to drink on Sunday?—There is no doubt of the fact, although I could not say the number.

6392. With regard to *dead side* travellers, do not you think that if you were to close the public-houses in Waterford on Sunday, they would go to Tramore and drink as *dead side* travellers?—That question of the *dead side* traveller is one very hard to define or decide what it is. I think there, again, if the ones was thrown on the parties to prove that they were *dead side* travellers, it would meet that difficulty.

6393. Still, do not you think that such a thing is very possible?—In the present state of it, and with the present definition of a *dead side* traveller, I think it quite possible that they would.

6394. Have not the magistrates in Waterford been more stringent lately, in the last two or three years, about granting licenses in the borough?—I can only speak, of course, from my own experience on the bench, which is since 1873, and they have all endeavoured to induce the publicans, if you will allow the expression, to take six-day licenses in preference to seven-day licenses. I do not know that they could legally refuse the renewal of a seven-day license, all things being right and no legal objection against it, but they would prefer seeing them take out six-day licenses.

6395. Were not the town council asked to petition in favour of Sunday closing, and they refused?—Yes, I answered that question before. There was a petition put before them, and there were under 20 present when it was brought forward.

6396. Your opinion is, that if there had been more they would have petitioned?—Undoubtedly. I believe that of 40 members of the corporation I should say there are 25 from my own personal knowledge of them who would go strongly for Sunday closing.

Mr. Ion Hamilton.

6397. Was that petition forwarded to the corporation for signature by the Sunday Closing Association, or did it emanate from one of the members of the corporation?—I am not sure where it came from, I think it was from the same parties who got up the whole thing all through; their instrumentality was used all through; it was an organised instrumentality, and was, of course, the one used.

Lord Charles Berezford.

6398. Do not you think yourself that it would benefit the public and decrease drunkenness very materially if the houses were closed earlier on Saturday, before their wages were paid to them?—No doubt of it; it is of enormous importance to close them two hours earlier on Saturday evening. It would be an enormous advantage to shorten the hours; all such restrictions, I believe, O.S.

Lord Charles Berezford—continued.

are advantageous, inasmuch as they throw difficulties in the way of persons wishing to drink for drinking sake, while they do not throw any difficulty in the way of a person wishing to obtain drink for legitimate purposes.

6399. Have you never heard any objection raised by anybody to closing them earlier on Saturday evenings?—Certainly not.

6400. But there has been some objection to totally closing them on Sunday?—Yes.

6401. Do you think if they were totally closed on Sunday in Waterford, there would be any rioting, or that any crowds would collect?—I am perfectly sure, so far as I know of the Waterford people, that there would be nothing of the kind. I never knew of any rioting in Waterford in any shape connected with drink. I have known riots in connection with political excitement, but never with drink, I mean for drink's sake; of course drink was one of the instruments used to get people to riot.

6402. Do you remember the Members for the borough meeting their constituents about two years ago in the Town-hall?—I heard of their doing so; I was not present at the meeting.

6403. You do not know whether the meeting was a large one, or not?—No, I do not think I was present at all.

Marquis of Hamilton.

6404. At what time are the wages generally paid on Saturdays?—I think about 6 o'clock, from 6 o'clock to 6; some employers of labour pay on Fridays.

6405. Do you suppose that in Waterford the men take much of their money into the public-houses, or do their wives get hold of it?—I think a great deal of it goes to the public-houses, but there is this peculiarity in connection with Waterford. I do not believe that the majority of the drunken working classes are at all the people who are in habitual weekly employment, and are paid weekly. Amongst the worst class of drinkers in Waterford are what are called the *corn-porters*. Those men are paid daily, or twice a week, and so on; they are paid indefinitely; that is to say, they may take a ship on Monday morning, and the ship may be thoroughly finished perhaps by Tuesday night; when they are paid on Tuesday night they receive very large wages, as much in some cases as 10s. and 12s. a-day; from 7s. to 8s. a-day, I believe, being somewhere about the average that they will receive; but of that 7s. or 8s. a-day which they will receive on Tuesday, I do not suppose 4s. goes to their families; I believe that much of it is spent during the hours of labour upon drink, and much of the remainder will go into the public-houses at night when the work is over.

6406. I think you said that there is not much beer or porter drunk by the lower class in Waterford?—I said not much beer or porter sent out by jugs, as it is in English towns; there is a great deal drunk by the poor people there, but it is obtained in bottles.

6407. But the price of bottled beer is nearly double that of draught, is it not?—I doubt if it is so there; I do not think it is.

6408. I merely ask this question with reference to the difficulty which might arise in the case of any of those who drink draught beer, should they require a glass of beer after dinner on Sundays, S s if

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If the public-houses are totally closed on that day?—I think that is one of the very greatest arguments in favour of closing them on that day, because so much of that class of beer is drunk in Ireland that they could get it as easily on Saturday night bottled as they could get it on Sunday.

6409. But draught beer will not keep fresh, I imagine?—What I mean to say is, that a few drink draught beer on Sundays at their meals (I do not mean in the public-houses) that it would be comparatively no deprivation to prevent them getting it. Many do drink bottled beer or porter, and it would be no deprivation to them by closing on Sunday, because they could easily buy it on Saturday, and it keeps very good in a bottle, and, in fact, it is better for being a few days in bottle.

6410. We have heard something about the minority to-day; would not, in your opinion, the bad effects of the minority getting drunk on Sunday be a sufficient reason for closing totally on Sunday?—It would be a sufficient reason. In all things of the sort where there is restriction, it is necessary that those restrictions should be put upon the majority for their own benefit. It is so in all cases where the restriction is put on on anything that is law forbidden.

Mr. Bruce.

6411. Speaking of the sentences imposed for drunkenness, do you think it would be an advantage if the magistrates had the power to impose imprisonment without the option of a fine as a penalty?—In many cases it would be an advantage, but in extreme cases I think that they have that power. If it is sworn that the party is an habitual drunkard, I think we have power to commit for any time short of six months. If it is sworn that the party is a common nuisance by being a drunkard, I think the magistrates have the power to commit for six months. I may not be exactly right in my reading of the law, but that is my impression.

6412. Are there many grocers in Waterford who hold a publican's license, which enables them to keep open for seven days?—To my knowledge I do not know any grocers in Waterford that open on Sunday, speaking from recollection, and not from official returns.

6413. Has it been complained of in Waterford that the grocers are in the habit of treating their customers who come in to buy groceries?—I do not know that that is much complained of. I think the grocers' licenses, as well as I am aware, are few, and in the case of those few, I know the majority of them to be very respectable men, who would not, I think, allow such to be done with their knowledge. I think the grocers of Waterford who hold spirit licenses are, as a rule, a class of men who would discourage treating in that way.

6414. We have it in evidence from Mr. Hoard, the county inspector, that there are 147 Sunday licenses, and three spirit-grocers' licenses?—I thought there were but few.

6415. But do you mean to say that there are only three grocers in Waterford who sell spirits?—That really is one of those official questions that I did not study, knowing that such questions would be replied to by Mr. Hoard, or persons who officially know these matters. My own impression is, that there are not more than

Mr. Bruce—continued.

three or four grocers in Waterford who hold a spirit license of that sort.

6416. There is one answer which I would be glad that you should explain; I am not sure whether I understood you aright. In answer to a question put to you by the honourable Member for Londonderry, who asked if young women go to public-houses, you said, "As a matter of course, when they are open;" is that correct?—As to that particular class of young women, it is correct. As a matter of course, you will find them wherever public-houses are open and whenever.

6417. You only perhaps allude to "unfortunate" women?—Yes, to those particularly.

6418. With regard to the petition, of which you spoke, the issue put before the people of Waterford then was, not total closing as against the reduction of hours of drinking on Sunday, but it was total closing as against the present state of the law?—Yes, certainly. The query put to every person was, "Are you in favour of the entire closing of public-houses, beer-shops, taverns, and spirit groceries on Sundays in Ireland?"

6419. That was as compared with the present state of the law, and not as compared with partial closing?—No, there was no comparison made with anything; it was simply the honest question, "Are you for total Sunday closing or not?"

6420. But, as a matter of fact, that must have been as compared with the present state of the law?—Of course, as compared with being shut or open.

6421. And you cannot say that, if the issue put before the people was total Sunday closing, as against a reduction of the hours of drinking, the vote would have been the same as it was?—I should think if that was so it would not have been signed by so many for partial opening on Sunday.

6422. That is your opinion?—Purely.

6423. And not formed from any evidence upon the point?—Certainly not.

6424. You spoke of the South Ireland Temperance League; are you a member of that league?—Yes.

6425. What are the objects of that league?—To discourage drunkenness and the habitual use of alcoholic liquor as much as possible.

6426. Is total abstinence any part of its object?—A part, but not its main object. It is a temperance society, it is not an avowedly total abstinence society; that is one of its objects, but many prominent members of it are not total abstainers. I myself am a member of it, and I am not a total abstainer.

6427. The object, of course, is to induce people to join it, but does it hold out total abstinence as a thing to be encouraged?—As a thing to be encouraged, but not a thing necessary for joining the league at all.

6428. If total Sunday closing is tried, and if the experience of the change should prove detrimental to the working classes, are you of opinion that we should soon have a reversal of such legislation?—Undoubtedly not, if you put the question in that form. I do not think the Legislature is bound to give everything to the working classes, or take everything from them that may be disadvantageous. I think it is necessary to consider the benefit of the entire community, and not the tastes of individual classes.

6429. You

Mr. Bruen—continued.

4429. You do not think that the working classes, in a matter of that sort, could judge of what would be for their benefit?—I think in a matter of that sort very few men actually see what they believe to be for their benefit. I think they see what is for their enjoyment, pleasure, and amusement.

Mr. Richard Smyth.

6430. The honourable Member for Carlow asked you whether, if the issue placed before the

Mr. R. Smyth—continued.

people had been total Sunday closing as against partial Sunday closing, the answer might not have been different. I will ask you simply this question. When that paper, which was presented to you, asking you whether you were in favour of total Sunday closing, if you had been in favour of keeping open two hours on Sunday, what would your answer have been, would you have answered that question, yes or no?—If I was in favour of opening two hours on Sunday, I should say, no.

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Mr. PATRICK FRANCES HANNEGAN, called in; and Examined.

Chairman.

6431. WHAT office do you hold?—I am clerk of the petty sessions of Waterford and of three other petty sessions districts; a sub-sheriff, and secretary to the grand jury.

6432. In your position as clerk of the petty sessions of Waterford, I suppose you have had a good deal of experience with regard to the cases of drunkenness which come before the magistrates?—Yes, for over 20 years.

6433. I wish you to confine your attention to the limits of the city of Waterford; have you considered the proposal which has been made for the total closing of public-houses on Sunday within the city?—I have.

6434. What is your view of the matter?—I believe that it will increase the consumption of liquor on Sunday. I believe that on Saturday night, when the working-classes are paid, they will go to public-houses, and before the houses are closed they will make provision for their drinking on Sunday, and will bring it home with them on the Saturday night; and then on Sunday, instead of going to a place of worship, my belief is that they would drink it on the Sunday with their neighbours. Jack would go to Bill's house, and Bill would go to Joe's, and they would sit there the whole day drinking.

6435. Do you think that any other evil would be caused by total closing on Sundays?—I do. I think that it would tend to demoralise the children of those working-men by seeing them drunk in their presence on Sundays.

6436. Of course the constabulary would have no check over the drinking in private houses?—None whatever.

6437. Do you think that at present there is much illicit drinking, so to speak, in Waterford on Sundays?—I believe there is.

6438. In what kind of houses?—In shebeen-houses as well as in public-houses.

6439. The shebeens being a very low class of house?—Yes, a very low class.

6440. Mr. Heard, the county inspector, has stated to us the number of convictions for the offence during a certain number of years, and the convictions appear to have been very few; how do you account for that?—It is very difficult to get evidence sufficient to warrant the conviction of a shebeen-keeper; in many cases where the constabulary suspect that there is beer or porter sold without a license, and they have obtained a warrant to enter on the premises, they have sometimes found a lot of porter, say one, two, or three dozen of porter stored away in a press, or something of that kind; yet, because it is not exhibited

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for sale (the Act says, if it is kept for sale, or exhibited for sale), the magistrates may have evidence that certain parties were found drinking in unlicensed premises, but if the porter, or whatever it was, was not exhibited for sale in some window or other, the magistrates believe that if the porter is locked up in a press they have no evidence to justify them in convicting the party keeping that porter.

6441. Is it the fact that cases are often brought before the magistrates which are dismissed?—It is.

6442. Do you think that there is much sale of drink in licensed houses during the prohibited hours on Sundays?—I do believe that that is carried on to a very great extent. There was one instance, if I may be allowed to mention it, which occurred some years ago, and which was brought to my attention; a certain publican in Waterford lives in a street, one end of which opens on to the quay, and the other end opens into a higher street, close by the church. I was told that this man used to sell between 11 o'clock on Saturday night and 2 o'clock on Sunday afternoon, the regular hour for opening on Sunday, more than he sold on any ordinary three days in the week. One Sunday morning I got up and went out to judge for myself. I suppose it was eight or nine years ago. I was told that there was a watch placed on the parade, and that there was another at the upper end of that street, and whenever a policeman would be seen by the man on the parade this man would make some sign to the publican, who used to be standing at the door. I went there myself and saw this. I saw the man standing on the parade, leaning over the rails at the end of the street, and I went round and came down the other street, and I saw another man of the lowest class at the other end of that street, so that the police could not by any possibility come at that man.

6443. Do you think that people drink in the public-houses till late on Saturday night, and then remain drinking on Sunday morning?—I believe they do.

6444. We have had statistics from the county inspector as to the number of arrests for drunkenness on Sundays; does it come under your notice at all at what time of the day on Sundays the most of those arrests are made?—I suppose two-thirds of them would be after 9 or 10 o'clock at night.

6445. Should you say that many of them were before 2 o'clock in the afternoon, while the houses ought to be closed?—Certainly, there are some,

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I should say particularly, that do so as early as half-past 8 or 9 o'clock in the morning.

6446. Do you think that there is much drinking in Waterford on Sundays?—I do not think there is that great drinking carried on on Sundays.

6447. Do you think that there is as much drunkenness on Sundays as on other days in the week?—I think there is more drinking on Saturday night, after the time that the workmen are discharged from their employment, than on any other three nights in the week, particularly fair-days; whenever there is a fair held in Waterford, the country people, farmers' labourers, drink to a very great extent.

6448. Do a great many people come into Waterford on Sundays?—No, I cannot say that they do; a great many people pass through Waterford on Sundays during the summer months going down to Tramore.

6449. Are the public-houses in Waterford frequented on Sundays by the people who pass through in that way, or is it more by the population itself?—I believe by the population itself; a few strangers may go into a public-house on their way down to Tramore, but as a rule they do not; they pass from the station on the Waterford and Limerick, or the Waterford and Kilkenny lines, on to the Waterford and Tramore Station.

6450. Have you had any means of ascertaining what the feeling of the people of Waterford would be upon the subject of total Sunday closing?—I believe that the majority are against Sunday closing.

6451. Upon what do you base that opinion?—In the different offices that I hold, I come into contact with a great many of the people of Waterford, and I do not think that I have heard two dozen speak in favour of it. I have heard a great many speak in favour of shortening the hours.

6452. Have you yourself considered whether it would be advisable to shorten the hours on Sunday?—I would suggest the shortening of the hours on Saturday night would have a very good effect, and shortening the hours also on Sunday. I think if the hours on Saturday night in summer-time were shortened to 7 or even 8 o'clock, and in the winter-time if they were shortened to 6 o'clock on Saturday evening, that would be an advantage.

6453. What would you suggest on Sunday?—I would say that they might be open from 2 o'clock, the present hour, up to 5 or 6 o'clock.

6454. Do you think that that would check the drinking or drunkenness without interfering with the convenience of the people?—I do believe it would, and it is also my opinion that if there were heavier penalties on the vendor, and if the magistrates' jurisdiction was definitely fixed, that is to say, if a party for a first offence were subject to a penalty not exceeding 5*l.* or 10*l.* or 20*l.* or 50*l.*, and not less than a certain sum, that would be a great improvement. I have known a great many cases, I suppose 75 cases out of every 100, in which the lowest penalty is imposed upon a publican for a breach of the law; but if with the penalty there was a suspension of the license for even two or three days, or a week, I think that would have a very good effect in checking drunkenness, because it would make the publican

Chairman—continued.

be more watchful than he is, not to sell to parties already under the influence of drink, for which there is a penalty upon the publican under the late Licensing Act. I suppose that once in every month there is a case brought up for selling to a person under the influence of drink.

6455. What happens then?—The smallest penalty is invariably imposed upon the publican.

6456. You think that the magistrates exercise their discretion too much on the side of mercy?—I do believe that. I am bound to say, although I am their clerk, that that is so in 75 cases out of every 100.

6457. What sort of penalties are imposed upon a person for being found drunk and incapable, or drunk and disorderly?—Up to very recently, within the last two years, there used to be a penalty of 6*d.* or a penalty of a shilling, or sometimes half-a-crown, but recently the magistrates have made a rule, that for the first offence the penalty shall be half-a-crown; and if the party is fined, in very many cases the prisoner in the dock, when he pleads guilty, if a fine of half-a-crown is imposed upon him, speaks to the magistrates on the bench, and begs himself off, and gets time to suit his own convenience to pay the fine in, and I do not consider that a punishment at all.

6458. Are any persons ever sent to prison for the offence?—Certainly they are.

6459. For what term?—Where the fine is half-a-crown it is for 24 hours, or if the fine is 5*s.* it would be 48 hours, and where 10*s.* it would be a week; 10*s.* is the highest penalty under the Licensing Act, or seven days' imprisonment.

6460. Have there been many cases where seven days' imprisonment has been given?—Yes, there have; that is for the habitual drunkards, I think, in a great many of those cases.

6461. A good many persons are sent to Waterford Gaol for a very small number of hours for this offence, are they not?—For 48 hours, but for less than 24 hours very seldom indeed; perhaps in one case out of every 500 it might be 12 or 14 hours.

6462. There are a very considerable number of persons who have been repeatedly convicted for that offence?—Most certainly.

6463. And not only repeatedly, but some of them many scores of times?—Yes, scores of times. There is a class of men, the quay-porters, the men who discharge and load corn-vessels, whenever there is a large number of these vessels in port those men earn from 10*s.* to 15*s.* and 16*s.* a day; they are paid their day's wages at half-past 4 or 5 o'clock in the evening, and when their day's work is over, they go out with 15*s.* or 16*s.*, their day's hire, and the chapmen are that they only bring about 1*s.* or 2*s.* home, and the remainder of that is consumed during the working hours in small public-houses. In that case there is a very old Act of Parliament which is not in force, which prohibits the publican from recovering more than 1*s.* from a day-labourer for drink consumed on his premises; I think if that section of the Act of Parliament was printed in large letters, and the publican was made to hang it up in his shop, so that the porter spending his wages like that might see it, it might save him something.

6464. Do you think that if there were a more stringent



Chairman—continued.

stringent application of the law against licensed persons offending, and against drunkards, it would be of more service than a restriction upon the hours of public-houses?—Certainly, that is my opinion from long experience.

Mr. Murphy.

6465. In your experience what are the class of people who are generally brought up before the bench?—The lower classes, generally speaking.

6466. In the class of those who are convicted, do the same persons come up frequently?—Very frequently.

6467. So that in the enumeration of convictions for drunkenness it may be taken for granted that they contain the habitual drunkards?—It is really the number of convictions, not of persons who are brought up.

6468. It is not the number of persons convicted, but the number of offences committed by individuals, which swell up the number?—Yes, that is what swells up the number.

6469. Does that apply to convictions which take place for Sunday drinking, as well as for other days' drinking?—Certainly.

6470. In the class which has been returned to us here, the 134 persons who have been convicted for the whole year for Sunday drinking, I may take for granted there are some who are habitual drunkards?—You might say, out of the 134, that there were 20 convictions against one person.

6471. So that 134 convictions for Sunday drinking in one year in Waterford do not represent 134 persons?—Certainly not.

6472. Would you say probably 60 persons?—Yes, 60 persons, or probably less.

Mr. Morton.

6473. Can you give the Committee an approximate idea of the number of persons who would be represented by the total number of convictions; taking, for instance, the year 1876, the figures given to us of the total number of convictions in the city of Waterford in that year were 1,469; how many of those would be repeated convictions; that is to say, how many persons would be represented in those 1,469 convictions, making allowance for the habitual drunkards?—I should say about 900 individuals.

6474. You say that you have had experience for 20 years in Waterford; do you consider that the proceedings for drunkenness have increased in number during that period in proportion to the population; are there more convictions for drunkenness now than there were 20 years ago?—There are not, but the drunkenness has increased within the last three years.

6475. Do you mean drunkenness independent of the convictions?—Yes.

6476. Do you attribute the increase of drunkenness to any cause?—The class of people who get drunk are the labouring classes. If they have work, and have the handling of money, they will drink.

6477. Do you attribute the increase of drunkenness in Waterford to the increase of wages, consequent upon the increase of work?—Decidedly.

6478. Do you consider that if a law were made to enable a conviction to be obtained for keeping 0.59.

Mr. Martin—continued.

intoxicating liquors for sale in unlicensed houses, that would be sufficient to enable you to obtain a conviction in the majority of cases brought before the magistrates?—I do.

6479. You gave an illustration of the police finding some dozens of beer in a house; what circumstance do you suppose would be sufficient to show that it was kept for sale, and not for consumption?—Complaints had been made to the police that parties were seen passing in and out of the place.

6480. You think that the magistrates would be able to draw the inference that it was kept for sale?—Yes; they are very small houses indeed, and the persons living in those houses are members of a class who would not be likely to have a dozen or two dozen of porter in the house for their own use.

6481. Do you suppose that at the present time there is, to any extent, a clubbing of men together to obtain drink on Saturday night for the purpose of drinking it on Sunday morning, during the closed hours?—No, I do not think so.

6482. You said that many arrests from those places took place in the morning of Sunday; have you information to show what proportion of arrests during the day on Sunday would be arrests made in the morning, before 12 o'clock, for instance; taking the 134 convictions for drunkenness on Sunday in the year, how many of them would you suppose would be in respect of arrests made before noon?—I should say about 30 or 40.

6483. Do you suppose that in those cases the drunkenness was committed on the Saturday night, or was it due to drinking early on Sunday morning?—I believe it was drinking on Saturday night at a late hour, and then beginning again on Sunday morning at a very early hour.

6484. At an illicit place?—No, in a regular licensed house.

6485. Then in those houses it would be by obtaining liquor under circumstances contrary to the law at the present time?—Most certainly.

6486. With regard to the afternoon of Sunday, do you consider that, to any extent, the arrests for drunkenness on that day are for drunkenness committed in violation of the existing law; that is to say, through drink obtained from unlicensed houses, or from licensed houses open at irregular times?—I believe from licensed houses open at regular times.

6487. Then you do not attribute the arrests for drunkenness in the afternoon of Sunday more to drinking in unlicensed houses than to licensed houses improperly open?—The unlicensed houses added to the number, certainly.

6488. Can you give any idea to the Committee how many of the 134 arrests on Sunday afternoon would be due to drinking at unlicensed houses?—I should say from 15 to 20.

6489. How many would be due to drinking at any licensed houses improperly open before the proper hour of opening, before 2 o'clock?—Very few.

6490. With regard to the arrests, you have an impression that they are due to drinking on Saturday nights in unlicensed houses, and the arrests on Sunday afternoon are due to drinking in licensed houses; do you suppose that that same number would continue if there was a total closing on Sundays of licensed houses?—I believe  
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I said before that I think that the consumption of liquor would be greater if the houses were closed on Sunday.

6491. Do you consider that if the houses were totally closed there would be less appearance of drunkenness in the streets?—Most certainly, because they would get drunk at home and not come into the streets.

6492. At the present time there is no such appearance of drunkenness in the streets of Waterford on Sunday as to constitute annoyance to the people going to and from places of worship?—Certainly not. You might pass through the streets of Waterford from 9 o'clock in the morning up to 5, or 6, or 7 o'clock in the evening, and you might not meet more than two or three persons under the influence of drink on Sunday.

6493. You stated that you thought that if a notice was put up about the publicans not being able to recover more than a certain amount for liquor supplied to working-men, it would be beneficial; is credit given to the working-men for liquor, to any extent, by the publicans?—To a very great extent.

6494. To all classes of working-men?—Yes, all classes.

6495. Does that credit exist during the whole week?—I should say that it goes on every day of the week.

6496. Have you any explanation that you can give to the Committee how it is that the arrests for drunkenness are so very much greater on Saturday and on Monday and Tuesday than they are on Wednesday, Thursday, and Friday in the week?—I was talking to a gentleman, a bacon merchant in Waterford, and he told me that he paid his men their week's wages on Friday evening. That money, almost the whole of it, is brought home to the families. On Saturday there are perquisites given to the working-men, to about 130 men in his employ, and some of the offal of the pig is given to the men on Saturday night as a perquisite. There are women who deal in this meat, and they know that the men get those perquisites; and they actually wait outside the door of the premises, and when the men come out they purchase the whole of it from them; and that money, or 5 s., or 6 s., or 10 s., as the case may be, is taken into the public-house and spent there on Saturday night.

6497. Then they spend the perquisite money, but not the regular wages?—Not the regular wages, I believe.

6498. Do you believe that these men get credit during the whole of the week?—I believe they do; I have no means of knowing that as a fact, but I believe they do get credit the whole of the week.

6499. On what day are the wages generally paid?—Fridays, generally.

6500. Do the wives in any case accompany their husbands and obtain the money?—Very seldom.

6501. You do not attribute the drunkenness in Waterford on Saturdays and Sundays to any considerable extent to wages being paid late on Saturday night?—Certainly not.

Mr. Meade.

6502. Do I understand you to say that if total Sunday closing were in force, the people would supply themselves with drink on Saturday

Mr. Meade—continued.

nights for Sunday consumption?—That is my strong belief.

6503. Would the class that frequent public-houses have the necessary means of storing the liquor to meet what they want to consume on Sundays?—I should fancy they have boxes and such like, but being in the house on Sunday morning, these people, I say, would go to it early on Sunday.

6504. They would buy drink and manage to store it till the Sunday?—Yes, I believe so.

6505. I am assuming from that answer that any person who wanted drink on Sunday would not be seriously inconvenienced by total Sunday closing, inasmuch as what they wanted they would buy on Saturday night?—I do not think they would be seriously inconvenienced by total Sunday closing, because I believe they would make provision for it.

6506. That applies to all those who frequent public-houses on Sunday?—It applies to those parties who have been brought from time to time before the magistrates and convicted of drunkenness, and you can apply it to all persons who frequent public-houses.

6507. Is it not a fact that there is a great quantity of liquor consumed in Waterford on Sunday morning, in consequence of the people continuing drinking from Saturday night?—Certainly, I believe so; a very large quantity.

6508. In fact there is a very large illicit sale conducted on Sunday mornings before the public-houses open?—I believe so.

6509. Particularly in the mornings?—Yes, from 7 or 8 o'clock.

6510. Is that illicit sale conducted by licensed persons?—Frequently.

6511. And that illicit sale in Waterford takes place rather in houses of licensed sale than in shebeens?—It takes place in both, but I think there is more sold by the regular licensed publicans on Sunday mornings than by shebeen proprietors or parties selling illicitly.

6512. You disapprove of Sunday closing, do you not?—I do not think it would have the slightest effect in checking drunkenness on Sundays.

6513. You are intimately connected yourself, by marriage, with some persons in the trade?—Yes, there is an aunt of mine in the trade (that is to say, I am married to her niece), but she never opens on Sunday; her house is always closed on Sunday.

Mr. Brown.

6514. Have there been convictions before the magistrates of persons holding grocers' licenses selling drink to be consumed on the premises?—Very seldom; not for a number of years.

6515. I suppose there are grocers in Waterford who sell spirits?—There are several.

6516. It has not been found that they ever evade or break the law by selling drink to be consumed on their premises?—Grocers sell drink to be consumed on the premises.

6517. I am speaking of those who hold grocers' licenses; there is a distinction between a grocer's license and a publican's license; the grocer's license does not allow drink to be consumed on the premises; and I ask you whether, in the case of those persons who hold grocers' licenses, there have been convictions before the magistrates for selling

Mr. *Bones*—continued.

selling drink which was consumed on the premises?—I have no recollection of any case.

6518. We have it in evidence that there are very few grocers in Waterford who hold spirit-grocers' licenses, only three I think, so that I suppose the great bulk of the grocers in Waterford who sell spirits hold publicans' licenses?—Yes, they hold publicans' licenses. I can give you the numbers; I got them from the Excise. There are of what are called seven-day licenses, 138; six-day licenses, publicans, 82; of early-closing licenses, under the new Act, there are 8; spirit-grocers, only 1; beer retailers for consumption off the premises, 4; ditto for consumption on the premises, 1; and beer dealers 11, making in all 245. These figures I got from the Supervisor of Excise. I wrote him a note, and told him to give me the exact number, and I have his letter here.

6519. You are aware of papers having been circulated in Waterford in favour of the total closing of public-houses on Sundays?—I am.

6520. Did you see them?—I did not.

6521. Have you seen them handed about in the houses, and seen the way in which they were signed?—I have seen several papers, but I did not see the way they were signed.

6522. Have you any reason to believe that the papers which were signed, were signed by any persons other than the heads of families, and persons fully competent to give an opinion upon the subject?—I have no reason to believe to the contrary.

Mr. *Sullivan*.

6523. I understood you to say that you were very much convinced that total Sunday closing would increase the amount of drink consumed in Waterford on Sunday?—I believe it would.

6524. I think you said that the people would on Saturday evening go to the public-houses, and buy in a quantity for Sunday drinking?—Yes, they would.

6525. Do you think the publicans are of that opinion, that it would increase their trade?—I never heard them say so; it is my opinion that I am giving; I did not consult any publicans upon the subject.

6526. You gave me the opinion of the working classes that come in contact with you; do you think the publicans are of opinion that it would increase their trade?—I am not aware, indeed.

6527. You are not aware one way or another?—No, I am not; I have not the means of ascertaining.

6528. Are the publicans against Sunday closing?—The few that I have been speaking to are against it, and that is only a very few; in fact, I do not take any active part in it at all. I do not mix myself up with these affairs unless the parties come and talk to me upon the subject.

6529. What is your opinion as to the feeling of the publicans of Waterford; are they for Sunday closing or against?—My belief is that they are against it.

6530. Is it your belief that they would be against total Sunday closing, if it would benefit their trade?—I cannot say what the publican's opinion is upon the subject, unless I asked them the question.

6531. Then you are not a well-qualified witness.

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Mr. *Sullivan*—continued.

to give us any evidence as to the feeling in Waterford on the subject?—Not of the feeling of the publicans.

6532. What class are you best qualified to tell us about; do not the publicans all come to you in your functions in the city; does not every publican come to you once a year at all events, about something or another?—When they are getting their certificates signed and renewed.

6533. Does the ordinary working-man in the city come to you for any purpose at all?—Certainly not.

6534. Then you have more communication with the publicans than with the working-men?—I am brought in contact more frequently with publicans than I am with general working-men.

6535. Taking human nature as it is in general, ought you not to know more about the class that oftentimes come in contact with you, than the class that does not?—Certainly not, because the publican simply comes to me with his certificate and says, "Will you be so good as to get this signed for me?" I lay it before the magistrate and get it signed, and enter it in the register, and give him his paper when it is signed.

6536. Has a working-man ever come to you and said, "I object to Sunday closing"?—He has not; a working-man never came to me to complain of Sunday closing.

6537. Why did you undertake to tell the Committee awhile ago what the feeling of the working men about the closing of public-houses on Sunday was?—I said, from the expression of feeling that I had from parties with whom I come in contact occasionally, the majority of them were against Sunday closing; I did not say that every working-man in Waterford came to me on the subject.

6538. Will you tell us how the majority of the working classes come to you on the question of Sunday closing?—The majority of the parties who came to me, there may not have been more than 30 or 40.

6539. Then you know nothing further as to the state of feeling amongst your fellow-citizens?—I do not profess to know anything about it; I have given you my opinion from 30 years' experience in the police court as to what I think would check the consumption of drink on Sunday.

6540. That opinion is not based upon very extensive communication with the working classes upon the subject?—Certainly not, because I never made it a study.

6541. You think it would lead to greater drunkenness in their homes by their buying drunk on Saturday evening, and taking it home?—That is my impression.

6542. Then you want them, if they must get drunk, to get drunk in public-houses; is that your view?—No, it is not; I do not want them to get drunk.

6543. Is it your view that, as they would go probably and get drunk at home, you would rather keep the public-houses open as a sort of safety-valve; is that it?—Certainly not.

6544. Then what is it?—I am asked my opinion on the existing law, and as a means of checking drunkenness on Sunday; and my opinion is that if the houses are closed on Sunday it will lead to drunkenness at home on Sunday, and that if the publicans are more severely dealt with for selling

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before or after hours, it will check drunkenness on Sundays.

6543. Will you tell me that the majority of the people who frequent public-houses in Waterford get drunk on Sundays?—Certainly not.

6544. A small minority only?—I should say the minority, and a very small minority.

6547. Is it your opinion that it is only the confirmed drunkard who would take to heavy drinking at home if there was Sunday closing?—I believe it is the confirmed drunkards; but I must say that they might lead others who are not confirmed drunkards, by having the stuff in their homes and consuming it; it might tempt them to do so.

6548. Is it a safer thing for a man to drink at a public-house than at home?—It is not safer for a man to get drunk at home.

6549. Is it a safer thing for a man to take his drink, little or much, in a public-house than in his home?—Decidedly at his home, I would say.

6550. Do you think it would be safer for a man to take his drink, in whatever shape it may be, at home rather than at a public-house?—I do believe that it would be the proper place for him to take it.

6551. And you do not think that that would happen if there were Sunday closing?—I say, if there were Sunday closing, the parties who frequent public-houses, and who drink to excess, would bring the liquor home and drink to excess at home also.

6552. You say it is only that very small class of confirmed drunkards that do that, and you think that Sunday closing would lead to illicit drinking in illicit houses?—I do believe that it would.

6553. Could the police stop it?—It would be very difficult for the police to check it as the law stands at present.

6554. Would it not be better to leave the houses open than to have a sale at illicit hours when closed?—Most decidedly I would say so, because the police can then watch every regular licensed trader, and summon him if he commits a breach of the law.

6555. Will you tell me why they did not have a watch upon the house that you described to us?—I cannot tell you the reasons that the police had for not watching, for I believe the police did go there, and tried to get the man.

6556. And failed?—Yes, and failed.

6557. You tell us that at present they keep a watch on licensed public-houses, and now you tell us it was a failure?—Several complaints have been made to me, and I have seen the thing myself, and it is a failure.

6558. If you are of opinion that it would be better to keep the houses open by law than to have illicit sale at forbidden hours, would not you propose to open the houses at those hours?—Certainly not.

6559. Why, if the one answer holds, surely the other must?—I am not in favour of opening or closing, it is no object of mine at all.

6560. I want the Committee to understand the reason why you give that sort of evidence?—I say if the hours on Sunday were shortened and not lengthened, and if good substantial penalties were imposed on the vendor, and if a strict watch were kept on the vendor, and if he were brought

Mr. Sullivan—continued.

to justice for it, that would tend to diminish drunkenness on Sundays.

6561. Would not the same vigilance do this, if there was total Sunday closing?—Decidedly it would.

6562. Then, if there were total Sunday closing, and the police were a little extra vigilant, they could, if not altogether, pretty well stop illicit sale?—Most certainly they would have the same facilities for doing that as they have now of stopping illicit sale before 2 o'clock on Sunday.

6563. Do not you think that, if the police, in place of going in the ground police uniform, whereby the sentinels could recognise them, and gone in plain clothes, they could have checked the illicit sale that you have described; does not every little boy who is placed to watch the police see the sergeant coming, and whistle and give the signal?—I believe so. Some five or six years ago, I think, the Inspector General sent down, at the request, I believe, of the magistrates, a strange constable, and that constable made a raid on Sunday morning, and I think he caught four publicans, because he was a stranger and not in uniform.

Chairman.

6564. Are you aware that some constables are employed out of uniform now?—I am not aware that they are.

Mr. Martin.

6565. Am I correct in understanding that your view is, as regards those who are habitual drunkards, or who get drunk on Sunday, that total closing will not have the effect of preventing their getting drunk?—That is my decided opinion.

6566. As regards those who merely resort to public-houses for moderate refreshment, you see no reason why they should not have an opportunity of going there?—I would say so.

Mr. Maurice Brooks.

6567. Was a voting-paper left at your house?—No. I reside at Tramore, about seven miles from Waterford.

6568. Have you not a large number of seafaring men in Waterford?—Yes, at times.

6569. Are there any places of public entertainment or resort for seafaring men in Waterford, on Sunday, except licensed public-houses?—I am not aware of any except the regular licensed houses.

6570. Do they resort to those houses?—I believe they do.

6571. Would inconvenience result to the numerous sailors in Waterford, if there were no public-houses?—I should say so.

6572. Because there is no other place for them to go to?—There is no place for them to go to, except the regular licensed houses.

Marquis of Hamilton.

6573. Will you explain what you meant when you said that people often remained drinking in the public-houses on the Saturday night; were they lodgers, or were they the people of the public-house itself?—What I said was this, that people drink until late on Saturday night, say, till 11 o'clock, when the houses are closed; they go

Marquis of *Hamilton*—continued.

go home at that hour the worse for drink; they are sick in the morning, and they get up and go out, and go to a licensed house, probably the same house again, and get some drink there.

Marquis of *Hamilton*—continued.

6574. I think, in answer to the right honourable Chairman, you stated that they remained in the public-houses on Saturday night?—I intended to convey what I have explained now.

Mr.  
*Hoskewen*.  
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Mr. JOSEPH FISHER, called in; and Examined.

Chairman.

6575. I BELIEVE you are a town councillor of Waterford?—Yes.

6576. Have you long held that position?—About five years.

6577. You are also editor of one or more newspapers in Waterford, are you not?—Yes.

6578. Have you turned your attention to the question of total closing of public-houses on Sunday in Waterford?—Yes, I have.

6579. What is your view upon the subject?—My feeling would be in favour of their being closed, but my opinion is that it would increase drunkenness.

6580. Will you give your reasons for that opinion?—As far as I have been able to trace all Acts of Parliament for interfering with the freedom of a person with regard to drink, all repressive Acts have been followed by an increase of intemperance. In Waterford itself there has been a large increase. I can, if the Committee wish, give them the figures. I have taken the trouble of going over a dozen years, and perhaps it is more fluctuating in Waterford than I find the Returns for Ireland are. The number of cases brought before the magistrates for being drunk, and drunk and disorderly, in 1864, were 1,635. In 1874, that was 10 years later, they were 1,917, but in 1875 there were 1,318, and in 1876 (I got the Return since I came to town, and I believe it has been laid before the Committee) they are put down as being 1,847 in the Return furnished to the House in reply to Sir Patrick O'Brien's motion.

6581. Can you explain the discrepancy between these figures and those given us by the county inspector?—He gave a return, I think, for Waterford, for last year, 1876. I think that he gave a return only for arrests for drunkenness, and this is a return of persons proceeded against as drunk, or drunk and disorderly; that would include the cases that the police summoned. They arrest some persons and summon others. I take it that there were 1,847 in 1876. Then I find in this Return, that in the city of Waterford, in 1875, there were only 1,318; the year before, 1874, it was 1,917. The reason that it was so great in 1874 was, I believe, that it was a very prosperous year with the quay-porters; there was a very large import of grain, which they had to carry out in bags on their shoulders, and their wages were nearly doubled. They ran the wages up, I think, from 8 s. to 15 s. a-day. These men drink a good deal of porter while they are at that heavy labourous work, and they often drink to excess. I tried if I could to arrange them; I did not do it for this Committee; it was done before this Committee was appointed; but in arranging the matter, it comes out in this way: in the four years from 1864 to 1867 the average number proceeded against in the city of Waterford was 1,328; in the next four years it was 1,386, and 0.59.

Chairman—continued.

in the last four years it was 1,311. When those facts stare me in the face, with restrictive laws both as to lessening the hours every day in the week, and lessening the number of public-houses open on Sundays, it leads me to the conviction that any summary law, any endeavour to make persons sober by Act of Parliament, will fail; and I am greatly afraid that the same result would follow from the Sunday closing. I am an employer of labour myself, and I apprehend that if the public-houses were closed on Sundays, those that I employ would regularly convert Monday into St. Monday. The return that was made for Mr. Heard, which I saw for the first time since I came to town, leads me to think that those 130 cases of drunkenness on Sunday would crop up on Monday, and that then we would have the Monday's drunkenness as large as the Saturday's; I apprehend that result from it. With regard to early closing of the public-houses, I said at the time, before it was tried, that I expected it would lead to an increase of drunkenness, and the result follows, not only with regard to Waterford, but with regard to the whole of Ireland. If the Committee wish, I have the figures for some years with regard to Ireland that I can hand in. But the reason that I arrived at that opinion was this, the quantity of liquor that a man drinks depends upon the money that he has. His getting drunk from inebriating that quantity depends upon the time that he takes it in. If a man will drink 2s. worth of drink in an hour, instead of spreading it over three or four hours, the chances are that he goes away drunk in the one case where he would go away comparatively sober in the other. I may be wrong in my apprehension, but that is the conclusion that has forced itself on my mind. I may also mention that the magistrates in Waterford have endeavoured to control drunkenness very much, by committing a very large proportion of the drunkards to prison at the expense of the sober ratepayers.

Mr.  
*J. Fisher*.  
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6582. What are the particular restrictions which have been so imposed within the last five years to which you have referred?—Closing the public-houses earlier in the evening, and issuing six-day licences instead of seven.

6583. Do you mean closing the public-houses earlier on Sundays?—And on week-days. I think they have been closed earlier on the week-days than they were, and that is followed both in Waterford and all over Ireland by an increase of drunkenness.

6584. Then you connect the increase of drunkenness of which you have spoken with the time at which the restrictions you have told us of came into force?—In general terms I cannot point out to you year by year, but there is no doubt that the quantity of spirits consumed in Ireland has increased 60 per cent. within the time, and with

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Chairman—continued.

that increase in the consumption of spirits in the country, you cannot do otherwise than look for an increase in drunkenness.

6585. Do not you think that the real cause may be what you have already pointed to, namely, the larger amount of money in the possession of the classes who are generally found guilty of drunkenness?—That would be one reason; but in 1864 there was less than 4,000,000 gallons of whisky drunk in Ireland, and last year there was over 6,000,000, or an increase of 50 per cent in the consumption of whisky in the country.

6586. Now, will you turn to the point of the punishments inflicted by the magistrates?—The sending of people to goal in Waterford by the magistrates is very much a matter of temperament of the mayor for the time being. If he is determined to put down drunkenness with a high hand he sends them to goal. If, on the other hand, he sees that when he sentences a man, the wife has to take her shoes off in the court, and send them away to be pawned, to pay the fine, I have known some mayors that would rather pay the fine themselves than punish a female in that way. I find in Waterford, that in one year, in 1870, when there were 1,424 convictions for drunkenness, there were only 277 sent to goal; and in 1875, when there were 1,318 cases of drunkenness, 428 were sent to goal. In another, the year 1874, which was so prosperous, one-third of those who were convicted, or 604 persons, were sent to goal. The number that used to be sent to goal was less than one-fifth of the whole. Now nearly one-third of those convicted in Waterford are sent to goal. The magistrates have got an idea that drunkenness is a crime, and should be criminally punished, instead of its being a vice which ought to be pitied.

6587. Do you think that the increase of stringency has done any good?—Not a bit.

6588. What do you think the magistrates ought to do?—Indeed that is a problem which it is very difficult to solve. It is one of those social problems as to which it is almost impossible to arrive at a safe conclusion, and the man who could discover it would deserve a statue erected to him, but I am afraid repression is pushed to its utmost limit.

6589. You referred, also, to the action of the magistrates in rather leaning to six-day licences in preference to seven-day licences; do you think that that has had a bad effect?—I am afraid it has.

6590. How?—The more you accumulate persons in publicans' houses, although the same quantity of drink may be consumed in the city, the greater drunkenness you will have. The custom in Ireland is, if a man goes into a public-house there is a round called for. Say that there are only four or five present, they may be able to enjoy their rounds and their drink, and go away sober. If you lessen the houses, so that there are more persons there, the chances are that every one will go away drunk, and yet only the same quantity of drink will be consumed in the city.

6591. Has not the number of public-houses open on Sundays been very largely decreased in Waterford of late years?—I think about one-fourth. If a man applies for a license now, and he will not take a six-day license, they say, "We will poll the bench," and the man accepts a

Chairman—continued.

six-day license rather than poll the bench. The magistrates in Waterford are hostile to the increase of public-houses.

6592. But the result of that action has not been to add to the total number of license-holders, but to diminish the number of seven-day licenses?—So far as I can learn, the total number of license-holders has not increased. I may mention, with regard to the number of drunkards, that there are twice as many public-houses in Waterford in proportion to the population that there are in Dublin, and there is only one-half the drunkenness. To illustrate the idea, I heard a Member of this House, the late Sir Henry Barnes, when he was on the bench in Waterford, say that the increase of public-houses would not per se increase drunkenness, but rather diminish it; and I think there is a good deal in the idea, although I do not bind myself to it.

6593. You think, then, that Waterford, as compared with Dublin, is a sober city, in spite of what you have told us?—Judging from results, I think so.

6594. Do you think that drunkenness in Waterford on Sundays is less than on week-days?—A great deal less; Waterford is very sober on Sundays.

6595. Why do you think that that is so?—The people do not seem to have much taste for drinking on Sundays. I have been out in the evenings frequently, and I hardly ever see a drunken person. I was surprised to see that there was even an average of between two and three drunken persons on a Sunday. I think the figure here shows that, taking 52 Sundays, it is not three persons drunk on each Sunday. I am rather surprised at its being so much.

6596. In spite of the bad effect of restrictions in encouraging drunkenness of which you have told us, and the fact that on Sundays the hours of opening are much less than they were, still Sunday is the most sober day in the week in Waterford?—Decidedly. I think that it may be accounted for in this way, that a large portion of those employed on the quay in Waterford are not at work on Sunday, and they get no wages. Our quay is almost deserted on Sunday.

6597. But they spend their money in drink, do they not?—During the days they are employed, and during the hours they are employed, I suppose they drink one half the wages while they are there at work.

Mr. Bruce.

6598. Are they paid daily there?—Yes.

Mr. Maurice Brooks.

6599. Their work being exceptionally hard, they have to drink to perform it?—Yes; it is very laborious work.

Chairman.

6600. What do you think is the feeling of the people of Waterford on the subject, so far as you have had the means of ascertaining it?—I think that the feeling is against Sunday closing as far as I have the means of judging.

6601. Have you the means of communication with many of the classes who use the public-houses on Sundays most?—Naturally I hear what their views are; it comes to me, perhaps indirectly;

*Chairman*—continued.

indirectly; but my impression is that the feeling in Waterford is against total closing.

6602. Did you take any part in the last Parliamentary election for the city of Waterford?—Yes.

6603. Do you think that the question of Sunday closing had any effect upon it?—The candidates who were in favour of it were defeated.

6604. Was the question raised as one of importance at the election?—Yes; a deputation from the League, I think, waited upon the different candidates, and asked them for their opinion.

6605. Do you attribute the defeat of the candidates who were in favour of it to the fact, or to any extent to the fact, that they were in favour of it?—No, I should not; I think that public feeling was so strong in favour of Home Rule in Waterford that Sunday closing was a mere bagatelle. At the same time the League promised their support to the men that would be in favour of Sunday closing of public-houses; I do not suppose that it influenced 40 or 50 votes.

6606. The question was not considered as of much importance?—It was not taken up by the populace, by the mass of the people of Waterford. At a meeting held since, which has been referred to, the electors were invited to meet the candidates, and one of the secretaries of the League came forward at the meeting to put some questions about it, and he was very near being roughly handled, only some of us interfered, or he would have been thrown over the stairs.

*Mr. Murphy.*

6607. Was that a meeting of the constituents of Waterford to meet their representatives?—Yes, the representatives came down to give an account of their proceedings; the secretary got up to put some questions about the liquor laws, and he was not well received.

*Chairman.*

6608. Are you aware of any meetings that have been held in Waterford on the subject of Sunday closing of public-houses?—Yes.

6609. Have you been present at any?—No, I was not present.

6610. Do you know anything about them?—I heard that they were very much of this character; I cannot say that they were public meetings, but they were meetings of persons who went there with a foregone conclusion, and I, with other persons, thought there was no use in going there, as we were certain to be in a very small minority; I do not think that there were more than 500 or 600 persons at any of the meetings, and that they all went there to carry out some particular view. At every meeting the chairman would say, unless you are prepared to support this thing we cannot hear you speak, the meeting is called to do so-and-so. Many persons stayed away, and I stayed away myself on that ground.

6611. Has the question been put before the town council since you have been a member of it?—Yes, it was twice brought before the town council. Mr. Walpole, who is one of the body, and who is a teetotaler, and a member of the League, brought it forward. He asked me beforehand, if he brought it forward, whether we

*Chairman*—continued.

would allow it to pass. I told him I thought it was a great deal better not to bring it forward. But he brought forward a petition, I think it was a petition prepared by the League, and the council rejected it. I think at that time it was rejected by 11 to 8; and then there was a second occasion, on which it was brought forward, as described, by Alderman Freeman. On both occasions it was brought forward without notice, which was not quite regular, as there was no previous notice that it would be brought forward.

6612. I think Alderman Freeman told us that, in his opinion, 25 members out of the whole town council would be in favour of the Sunday Closing Bill; is that your opinion?—I think if that was the case they would have brought them to the meeting, and we would have heard them vote.

*Mr. Richard Smyth.*

6613. Is it not the case, that the members of the town council sometimes object to pass a petition, not because of anything in the petition itself, but because they think it is out of their sphere to petition Parliament in that particular case?—It was not on that ground that it was rejected. On the first occasion I think the amendment that was moved was that each member of the town council should sign the petition itself; but that we being a representative body, and public opinion being divided, we ought not to take it upon ourselves, but we ought to leave it to others to decide.

6614. Supposing you found that the majority of the corporation of Waterford had signed a memorial in favour of Sunday closing, and yet that the same corporation declined to send forward a petition to Parliament, would you consider the corporation inconsistent in such action?—I consider that the men that signed the declaration and did not come to the council and vote for it, were exceedingly inconsistent.

6615. Do not you think that every man who, in his private capacity, would sign a petition in favour of Sunday closing of public-houses would be bound in the corporation to vote for passing that petition to Parliament?—I would consider myself bound, but I would not express an opinion for others.

6616. You are opposed altogether, I dare say, to any shortening of the hours of sale of liquor on Saturday evenings?—I am greatly afraid that it would increase drunkenness.

6617. Are you opposed to it?—I cannot say that I am opposed to it. It is a thing that I would not go any length to oppose; I believe those who have taken it up do it from good motives, but it does not commend itself to me from a consideration of the entire merits of the case.

6618. You are not in favour of it?—I am not.

6619. If you could get the hours somewhat lengthened you would be in favour of something of that kind?—I would let the hours alone.

6620. Do you think that the present state of the law is well enough?—I am afraid that with any change you would go farther and fare worse.

6621. But you do not think it would be a worse state of things if the hours of sale were lengthened?—I do not think that the hours will

*Mr.  
J. Fisher.*  
27 April  
1877

Mr.  
J. Flaxer.  
27 April  
1877.

Mr. R. Smyth—continued.

affect the quantity of drink consumed at all. I say, how can you get over the fact that there were 6,000,000 gallons of whisky sold in Ireland last year and drank, against 4,000,000 gallons 12 years ago? It is increasing, and the hours do not affect it.

6622. I thought you connected that with the passing of the repressive and restrictive laws in 1872?—I did not intend to do so; I merely wanted to show that restrictive laws do not lessen drunkenness.

6623. Then I took down your words inaccurately, that you believed that those repressive acts were followed by an increase of the evil which they were intended to repress?—I believe they were followed, but I do not say that they were the cause of the evil; they were followed by it; but contemporaneously all those laws which have been passed and changed, have failed to lessen the quantity of drunkenness, and that drunkenness has increased in spite of them it may be.

6624. Notwithstanding that the hours have been shortened on Sundays, and also have been shortened on other days in the week, you believe that such shortening has done nothing whatever to lessen the consumption of drink?—I believe so; the fact is that the quantity drunk has increased 50 per cent. within 12 years, and I think that the first restrictive law was passed about that time; I see how much they employ the police in duties which they were never intended to perform, and notwithstanding these new laws that were created by Act of Parliament, and everything that has been done, there is an increase of drunkenness in Ireland.

6625. Are you in favour of keeping the public-houses open all day on Sunday?—I am very sorry they were ever allowed to be open on Sunday, and if they were all closed on Sunday I would never vote for their being opened; but we must deal with the habits of the people. I would not give any increased facility for the sale of drink at all, but if you shorten the hours I am afraid that you will increase drunkenness.

6626. You believe that the licensing laws could not be touched without doing harm?—I am afraid that any change in them would be going from bad to worse. It is bad as it is, and when I see what has succeeded former changes, I am afraid that it would be so. There are two ways to make people sober, get them to abstain altogether, or educate them in drink. Get them accustomed to it, and then they will not get drunk; you have to choose between the two.

6627. Could you suggest some practical plan for bringing that about?—It is a curious thing, that according to the returns it took 50 gallons of whisky to make a drunkard in 1864, and it took 60 gallons of whisky to make a drunkard in 1876. That is education. You have them partly accustomed. You had in 1864 3,921,000 gallons drunk, and 78,000 convictions for drunkenness; that is, one for every 50 gallons of whisky. In 1875 you have 6,094,000 gallons of whisky drunk in Ireland, and 102,000 convictions for drunkenness, which is 1 in 60 gallons; that is to say, it took 60 gallons of whisky to make a drunkard in 1864, and it took 60 gallons of whisky to make a drunkard in 1875. That is getting re-educating.

Mr. R. Smyth—continued.

6628. How do you account for that?—There are the facts.

6629. You are a very intelligent man, and I should like to hear how you account for this power of resistance that our countrymen have got within the last 10 years?—They may have got accustomed; I do not like to expound any theory upon the subject, but there are the facts.

6630. But on the whole you believe that the present condition of things is about as perfect as the law could make it?—Indeed I believe no such thing; I have said it is bad, but there is such a thing as "getting out of the fryingpan into the fire."

6631. You think that the law could not possibly make things better than they are?—I would not say that it could not possibly do so, that would be going very far, but I would like to see more fruit from what has been done of a repressive character. I do not see it.

6632. You yourself cannot imagine any law that would be preferable to the law that we have at present as regards the houses of drinking and everything connected with the licensing system?—While I see that things are bad as they now are, no new remedies that are proposed can commend themselves to me. There are a great many difficulties with regard to them, and therefore I could not advocate them. I would rather let things stay as they are, bad as they are, when I do not see the good, than "fly to evils that we know not of."

6633. You have taken a deep interest in the sobriety of the people, have you not?—I would do anything in my power to make them more sober.

6634. Have you really yourself given any attention to the question of public sobriety?—I have thought a great deal of it.

6635. Have you taken any practical measures to promote the sobriety of people?—Yes.

6636. Will you just explain what they were?—I am endeavouring to get the corporation of Waterford to open a public library and reading-rooms, to give the people some place where they can go to besides the public-houses. There is not in Waterford a place at which a working-man can meet another and talk in, except he goes into the public-house. I am endeavouring, and hope to be able to accomplish it, to get such a place. Some benevolent persons in Waterford have opened a coffee-stand, but it is shut up on Sunday, and there is not even a cup of coffee to be had in the town while the public-houses are open.

6637. Have you had any success in your endeavours?—I expect the corporation will adopt it; I have had the subject before their action. There is a horror of taxation, little as it is, but I expect that it will be accomplished. In our city on a wet day there is not a place that working-men can go to, and see each other, except the public-house.

6638. How long is it since you made that proposition to the council?—A few months ago.

6639. Did you make a formal motion on the subject?—I have given notice of motion. We have not been able to reach it at either of the last two meetings. I was from home at the last meeting, or it might have been reached. It has not yet been discussed.

6640. How soon will it be discussed, do you think?



Mr. R. Smyth—continued.

think?—If I am able to return to Waterford for the council on Tuesday next, it may be discussed then.

6641. Is that the only suggestion that you can make?—I think that the gradual education of the people is doing something, because, as I mentioned to you, drunkenness has not increased in the ratio of the consumption of drink.

6642. Are you in favour of increasing the number of public-houses in Waterford?—Under certain limitations, I would be.

6643. What are those limitations?—That I would not refuse a license to any respectable person. The present licensing laws are creating a freehold for the landlord in the license, and are maintaining a class of public-houses that the mere competition of trade would get rid of. But the magistrates in Waterford, some years ago, adopted a resolution that they would not increase the number. I argued with some of them that it was an illegal resolution, because it was deciding cases before they had heard them, which was wrong, but the magistrates were not of that opinion. I have known young men who have been brought up to the business, and served their time at it, and have had sufficient capital, and have sought a license, but they did not get a license, because the magistrates wanted to diminish the number of licenses. There are a number of houses next door to schools that would go down under legitimate competition. I think that the power of the magistrates in granting licenses has, with the best intentions in the world, been misused. I give that as an opinion that is not new to me.

Mr. Maurice Brooks.

6644. Is there any drinking in private houses in Waterford? that is to say, do the people of all classes, who can afford to do without public-houses, use alcoholic drinks at home?—I do not think that the working classes drink much at home.

6645. Other classes do?—Yes, other classes do.

6646. Do you think it possible that any arrests made for drunkenness are arrests of persons who have not got drunk in public-houses; is such a thing possible in Waterford?—The thing is possible, but it is very rare, I think.

6647. Is there a club-house at Waterford?—There is.

6648. Was a voting paper left at your house?—It was, and the reason I did not sign it was that it contained on the back of it what struck me as being incorrect, if not false. One of those statements on the back of it to induce persons to sign it was, that the result of closing public-houses on Sunday in Scotland was a reduction in the general consumption of whisky, and figures were given. That was true at one time, but they suppressed the fact that at the time the papers were issued the consumption of whisky had increased nearly 60 per cent.

Mr. Richard Smyth.

6649. From when?—From the commencement, from the first date that they gave. They showed on the back of the paper that there was a reduction to, I think, 1872, but if they had taken 1874 the figures would have shown that there was an increase in the consumption of whisky from the date that they began at, and parties signed the

Mr. R. Smyth—continued.

paper under the belief that the closing of public-houses on Sunday had lessened the consumption of whisky in Scotland, and was likely to do the same in Ireland.

6650. You mean that the consumption in 1874 was greater, in proportion to the population of Scotland, than it was in 1852?—I think so.

Mr. Maurice Brooks.

6651. Then I understand you allege that there was a misstatement on the back of that voting paper, such as to induce you to refuse to sign it?—Yes. With regard to the voting papers, I know that in some households all the family were got in to sign, but there is no such thing as that number of householders in Waterford that purported to sign it.

6652. Do you know whether the voting paper supplied to you and endorsed with such misstatements was similar to that which was deposited at the homes of other householders in Waterford?—Yes, they were all the same. I called attention to it in the public press at the time, and gave the facts, and the statement I made was never refuted.

6653. Do you recollect if that voting paper contained a statement to the effect that the number of drunken persons arrested in Scotland since the passing of the Forbes Mackenzie Act had decreased by 80 per cent?—I do not think it did. The fact that I challenged was with reference to the consumption of whisky in Scotland, but on looking since I came to town at the return from Scotland, I find that drunkenness is not viewed there as a crime at all, whilst in Ireland it is treated as a crime.

6654. Were those figures, as compared with the Excise Returns, inaccurate?—They were accurate as regards the two years that they gave, but they suppressed the fact that in two years later the consumption of whisky in Scotland showed that there was no decrease in consequence of closing on Sunday.

Mr. Murphy.

6655. We have it on official evidence here that only 184 persons were arrested during the entire year 1876 for Sunday drinking, and we also have it on official evidence that the state of the city of Waterford is most orderly and quiet and peaceable on Sunday. Considering that the object of the Bill now before the House is to repress intemperance on Sunday, and to produce order and quiet, do you think, under the circumstances of the facts that you have stated with reference to Waterford, that such a Bill is necessary?—It is not necessary at all.

6656. You mentioned that you took some trouble in ascertaining the statistical returns with reference to the consumption of whisky in Ireland, and you have brought out a very curious and startling fact about the number of gallons that it takes to make a man drunk now compared with 1874. Have you taken the trouble at all of ascertaining from the same statistical official returns what increase of crime or arrests for offences have been contemporaneous with the increase of the consumption of spirits?—It is most remarkable. In 1864 there were 10,895 persons convicted for indictable offences, and in 1875 they had fallen to 6,398.

T T 3

6657. Have

Mr.  
J. Fisher.  
17 April  
1877.

Mr.  
J. Fisher.  
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27 April  
1877.

Chairman.

6657. Have you taken that from judicial statistics?—Yes, from Dr. Hantock's book. He mixes up drunken cases with offences determined summarily, and I wrote to him and asked him to be so good as to separate them for me, and they bring out this result. Offences determined summarily before the magistrates, other than drunkenness, had fallen from 154,946 in 1864, to 140,751 in 1875; and yet the convictions for drunkenness in the same period had gone up from 78,417 to 100,894, so that if we are to look at these facts just as they stand, the increase of drunkenness was contemporaneous with the decrease of crime.

Mr. Murphy.

6658. Then the decrease of general indictable offences took place contemporaneously with the increased consumption of spirits?—Yes, and the offences determined summarily also decreased with the decrease of indictable offences; both classes of crime lessened.

6659. So that, therefore, so far as those statistics are concerned, if they proved anything they would not go to prove that the increase of drinking was an increase of indictable offences?—No, indeed. They clearly show that the increase of drunkenness is followed by the decrease of other crimes; that drunkenness has, "like Moses's serpent, swallowed up the rest," and that they have actually diminished.

6660. Do you conceive from general knowledge that 134 persons being arrested in a whole year in Waterford on Sundays is a very small proportion to the population?—A very small proportion indeed to the population.

Mr. Morten.

6661. Can you give any explanation to me of the comparison of the returns relating to certain towns in Ireland, and the returns relating to towns of a corresponding size in England; in the case of Dover, which is a seaport town with a population numbering 28,506, the convictions for drunkenness, or offences including the charge of drunkenness, amounted in the year 1874 to 88 only; Dover having a population about the same as Waterford?—I do not think there is any body in England corresponding at all with the Irish constabulary. If I had the charge of the constabulary I could either double these returns for drunkenness or halve them. The Inspector General of Constabulary, by giving directions over Ireland, can either double these returns for drunkenness or halve them. If he orders the police to take up every man that shows any sign of drink on him he would double them. If, on the other hand, he ordered the police only to take up persons incapable of taking care of themselves, or were annoying their neighbours, who I think are the only class who should be arrested, he would not have half as many returns.

6662. Do you think in Waterford, if the population returns which are given to us are right, that of the persons who are arrested more are arrested for being incapable than for annoying other persons?—I do. I should think that the bulk of the cases that are summoned are cases of that character.

6663. You have been asked about a club at Waterford; is that a club for working-men?—No, there is no such thing in Waterford to my knowledge.

Mr. Morten—continued.

6664. Do I understand your opinion with regard to the number of houses to be, that if the magistrates granted a license to every man of good character, and sufficient capital to conduct a public-house properly, that it would have the effect of bringing into the trade a good class of persons and driving out the bad ones?—I think it would have that effect.

6665. Do you suppose that the increase in the quantity of spirits consumed in Ireland is due, to any considerable extent, to the greater number of persons drinking spirits, rather than to the excessive drinking on the part of particular individuals?—I think that the middle classes in Ireland have got into the habit of drinking more whisky than they did 12 years ago, and it is drunk without their becoming drunk; and I think the proof of it is, that although more is drunk by those classes, it is not drunk to excess.

6666. Do you consider that a large class of persons would be inconvenienced by being prevented from obtaining reasonable refreshment at public-houses on Sunday?—I think they would; they would be forced either to take their drink home with them, or to abstain from it altogether. There is no place, as I mentioned, that a person can go to on Sunday except the public-house; there are no reading-rooms, and no places of recreation; and they have got into the habit of meeting in the room of the public-house for a chat, and that class of persons drink only a small quantity of liquor. It is quite evident that in a population of 28,000, where the arrests are, I think, only two and three on a Sunday, there must be very little excess; I think I understood in Waterford, where the police took the number that went into public-houses, that return represented a very large number of persons getting refreshment; I think I heard that there were between 20,000 and 30,000 persons that were seen going into public-houses; and when you have only three persons drunk in Waterford on a Sunday, that is a very small proportion. I may, perhaps, mention to the Committee a very curious circumstance that took place in Waterford, which enables the Committee to test that: Sunday and Christmas Day came together in the year 1876, and they did the same in 1875; in 1876 the Bishop requested all the public-houses to be closed on those two days, and I believe they were closed; in 1875 the houses were all open, and there was no restriction whatever. Christmas Day, the 25th, was on a Saturday, and Sunday was the 26th; and in the police court on the Monday, in 1875, there were only 14 persons brought before the court for drunkenness, whilst this last year, 1876, with the houses closed, there were 31 cases of drunkenness before the magistrates on Tuesday, after two days with the public-houses closed. I took the trouble of ascertaining how that took place, for I went to the police court and saw the books; almost all those cases of drunkenness were on Saturday evening; and the police had to give up arresting them because the book was full, or a number of other persons would otherwise have been arrested. The reason that they drank to that degree was because they ascertained that the houses would not be open upon either of the next two days, and they spent the money that would have gone over three days in one evening's drinking; and the result was, that

Mr. Morten—continued.

that they had 31 cases in 1876, against 14 cases in 1875. In 1876, the houses were closed, and in 1875 they were opened.

Chairman.

6667. The county inspector, in reply to Question 6162, "In what state was the police court next morning?" (that was after the occasion when the Bishop got the public-houses closed on Christmas Day and Sunday), said, "There were none the next morning in the court. I may say that the town was perfectly tranquil that day, remarkably so"—I am aware that on the Sunday that was so, because the men had all got drunk on the Saturday evening, but they were brought before the court on the Tuesday.

Mr. Morten.

6668. Did you find out from the books that there were 31 cases on Monday morning after Christmas Day and Sunday?—Last Christmas Day was on a Monday, and on the Tuesday morning there were 31 cases of persons drunk and drunk and disorderly before the magistrates, after two days with the houses closed; but in the previous year there were only 14 cases, with the houses opened. I examined the books and took down the numbers; and I have the numbers for the whole week, if the Committee would like to see them. 24th December 1875 was Friday, and there were five cases before the magistrates on that day; the 25th was Christmas Day, and there were none; the 26th was Sunday, and there were none; the 27th was Monday, and it was 14.

6669. On that occasion were they all open?—Yes. On the 28th December, Tuesday, it was six. Then in 1876: 24th December was Sunday, and there were none; on the 25th, Christmas Day, there were none; on the 26th, Tuesday, there were 31, and the next day there were 13; so that if you add the two days together, in 1876 it makes 44, against 20 the previous year.

Mr. Mellis.

6670. Is it not a fact that in the city of Waterford there are a large number of eating-houses that are open on Sunday, and that have no licenses for the sale of drink at all?—I do not think that there is one of them open on Sunday.

6671. Are there not a number of eating-houses open during the week that have no licenses for the sale of drink?—Yes; but none of them open on Sunday.

6672. There is nothing to prevent them, if the people thought fit?—No; but I do not think they are opened.

6673. You were asked as to the meetings in favour of the Sunday closing of public-houses, and I think you stated that you were not present at any of them; is it not the fact that on one occasion you either moved an amendment at one of those meetings, or attempted to do so?—No.

6674. Were you not present at a meeting, when Alderman Freeman presided, at which you moved an amendment?—That was a meeting of the council. The question of the Sunday closing of public-houses was brought forward at a meeting of the council, and I moved an amendment.

6675. You were present at no meeting outside?—No.

539.

Marquis of Haddington.

6676. You are an employer of labour, are you not?—Yes.

6677. Can you tell me what the working people generally do with their wages on Saturday, after they are paid; do they keep it themselves, or give it to their wives to pay the expenses of the week with?—I think they generally give part to their wives; of course they keep a portion of it for themselves. I think that most of them give the wife a portion, and keep something for themselves.

6678. They do not spend much of it in drink on Sunday?—I do not think they do.

6679. You stated in your evidence, that you would be afraid that if the public-houses were closed entirely on Sundays, Monday would be converted into a drinking day; how would you reconcile that with the fact that they do not drink much on Sunday?—I am afraid that you would have to add the 134 cases of drunkenness on Sunday to the 270 on Monday; and I think, according to the evidence that I saw, if it was correctly reported in the newspapers, with regard to Waterford, there were 134 arrests on Sunday, and 268 on Monday. If you closed the public-houses on Sunday, you would have to add those two figures together for Monday's drink.

6680. You think that there would be more inducement for the men to spend their money on Monday; but supposing they had no opportunity of doing so on Sunday, would not they be more likely to restore the money to their wives than keep it in their pockets?—I think not. I think they would keep their share out of the money for themselves, and if they did not spend it on Sunday, they would on Monday. I ascribe the decline of those figures merely to the absence of the means of procuring drink, because the number goes down: Monday 268, Tuesday 219, Wednesday 172, Thursday 162; like a tide, it gradually goes down. I think it is because they had not got the money to spend. Some of them are paid their earnings on Friday, and on Saturday there is a great increase in the number.

6681. Are you of opinion that the men always keep a share of their wages for drink?—They keep enough for themselves, and they generally spend a large proportion of it on drink.

6682. If they had not the same facilities for spending it on drink, it might be diverted to some other channel, might it not?—I am afraid it would be spent on Monday in drink.

Mr. Brown.

6683. You mentioned just now the figures of those who are arrested on Sunday and Monday for drinking, and you said that if the Sunday Closing Bill was law, the arrests on Monday would be increased by the present number of arrests on Sunday?—I am afraid so.

6684. Is it not a fact that the persons who drink on Sunday and are arrested for a breach of the law are the same persons who are generally arrested on Monday for a breach of the law; the 134 which are the number on Sunday are the same individuals probably who are amongst the 268 who are arrested on Monday?—No, I should not think they were; there may be 20 or 30 of them, probably. I should not think they were all.

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6685. You

Mr.  
J. Fisher.  
27 April  
1877.

Mr.  
J. Fisher.  
—  
27 April  
1877.

Mr. William Johnston.

6685. You think that shortened hours would increase drunkenness?—I am afraid that they would.

6686. And that lengthened hours would increase it?—I thought that the effect of restricted hours before was to increase drunkenness, but as it is done I would not extend the hours.

6687. You think that you have arrived at absolute perfection with regard to the hours?—I do not think there is any perfection in the thing at all.

6688. You are an influential man in Waterford and have a good deal to do with forming public opinion, have you not?—I have some influence.

6689. Have you ever written upon this subject?—I have.

6690. In favour of or against the closing of public-houses on Sunday?—I think that I have written to this effect, that I was afraid that any change would be a change from bad to worse. That has been the tone of the articles that I have written.

6691. How much of the opposition in Waterford to the closing of public-houses on Sundays is to be attributed to your articles?—I

Mr. W. Johnston—continued.

do not think any of it; I have never hired people to expose the thing; there is no association of the kind that I am aware of in Waterford.

Mr. Richard Magill.

6692. You stated that you have a good many people in your employ?—I said that I was an employer of labour; they are principally compositors and that class.

6693. They are never absent on Monday from the office on account of the drinking of the previous day, are they?—They are absent occasionally on Monday, whether it is the drinking of the previous day or not.

Mr. Marten.

6694. From where did you get that number of 31 cases on the morning after Christmas Day?—From the book of the clerk of the petty sessions, in which the cases are recorded.

6695. These are persons who were brought up or proceeded against for drunkenness?—Proceeded against for drunkenness.

6696. Then it would be the book of the clerk of the petty sessions for the city of Waterford?—Yes.

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A P P E N D I X.

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## A P P E N D I X.

## Appendix, No. 1.

PAPERS headed in by Mr. Reed, 16 March 1877.

RETURN for the DUBLIN METROPOLITAN DISTRICT, City of Dublin, Town of Appendix, No. 1.

*Belfast, and Cities of Cork, Limerick, and Waterford, of the Number of HOUSES for which LICENCES were held on the 1st March 1877, for the Sale, by Retail, of INTOXICATING LIQUORS, showing, — 1st. Public-houses licensed for the Sale of Beer, Spirits, &c., for Consumption on or off the Premises; 2nd. Wine Refreshment Houses licensed for the Sale of Wine for Consumption on the Premises, but not Beer or Spirits; 3rd. Spirit Grocers' Houses licensed to retail Spirits, but only for Consumption off the Premises; 4th. Beer Retail Houses licensed to retail Beer, but only for Consumption off the Premises.*

	1. Number of Public-Houses.	2. Number of Wine Refreshment Houses.	3. Number of Spirit Grocers' Houses.	4. Number of Beer Retail Houses.
Dublin Metropolitan District - - -	1,036	87	280	154
City of Dublin (within the Municipal Boundary).	787	33	231	61
Town of Belfast - - - - -	681	37	154	137
City of Cork - - - - -	611	1	-	2
City of Limerick - - - - -	297	—	—	—
City of Waterford - - - - -	220	-	3	9

*N.B.—Referring to Licenses 3 and 4 generally, the two Houses of spirit grocer and beer retailer are held for the same house.*

Royal Irish Constabulary Office, Dublin Castle,  
14 March 1877.

*Andrew Reed,*  
Private Secretary to the Inspector General,  
Royal Irish Constabulary.

RETURN showing the Number of PUBLIC-HOUSES for which LICENSES were held on the 1st March 1877 (for the Sale of BEER, SPIRITS, &c., for Consumption on or off the Premises), in the whole of Ireland, also in the City of Dublin, Town of Belfast, and Cities of Cork, Limerick, and Waterford.

	1. Number for which the Seven Day License was held.	2. Number for which the Six Day License was held.	3. Number for which the Seven Day and Early Closing License was held.	4. Number for which the Six Day and Early Closing License was held.	Total Number of Public Houses.
All Ireland - - - - -	13,920	1,897	115	729	16,661
Dublin Metropolitan District - -	595	65	2	6	1,668
City of Dublin (within the Municipal Boundary).	729	57	2	5	797
Town of Belfast - - - - -	555	40	-	47	681
City of Cork - - - - -	468	17	-	26	511
City of Limerick - - - - -	319	65	-	13	397
City of Waterford - - - - -	147	57	-	6	209

N.B.—1. The holder of the seven day License is permitted to keep his house open every day in the week except during the closing hours. 2. The holder of the six day License is obliged to close his house the whole of Sunday. 3. The holder of the seven day and early closing License is permitted to keep his house open every day in the week, but is obliged to close at night one hour earlier than the ordinary hour of closing. 4. The holder of the six day and early closing License is obliged to close his house the whole of Sunday, and also to close on other days one hour earlier at night than the ordinary hour of closing.

Royal Irish Constabulary Office, Dublin Castle,  
14 March 1877.

Andrew Reed,  
Private Secretary to the Inspector General,  
Royal Irish Constabulary.



## Appendix, No. 2.

PAPERS delivered in by Mr. McCull, 23 March 1877.

RETURN showing the Number of LICENSES for the SALE of EXCISEABLE LIQUORS granted in the eight principal Towns of Scotland, with Population, &c., 1861 and 1871.

PLACE.	Year.	Number of Ice and Head Licenses.	Number of Public-house Licenses.	Number of Grocers' and Butchers' Licenses.	Total.	Population.	Population to each Ice and Hotel.	Population to each Public-house.	Population to each Grocer.	Population to each Licensed House.
Aberdeen - -	1861	85	103	99	483	52,000	1,109	380	255	344
	1871	81	39	294	454	69,302	1,335	492	254	347
Dundee - -	1861	19	907	178	454	54,521	4,494	565	506	500
	1871	19	959	360	331	121,975	10,104	437	308	315
Edinburgh - -	1861	48	349	957	745	189,191	3,002	434	470	353
	1871	45	348	609	999	226,070	4,089	550	420	330
Glasgow - -	1861	48	1,525	378	1,553	485,142	8,227	364	2,354	230
	1871	39	1,525	246	1,810	490,442	12,500	310	1,603	260
Greenock - -	1861	7	125	25	217	62,793	5,113	331	1,711	107
	1871	29	125	34	259	58,651	5,625	280	1,725	245
Leith - -	1861	7	100	101	264	30,319	4,437	291	290	126
	1871	8	110	160	311	44,526	5,585	316	371	143
Paisley - -	1861	7	170	39	216	47,419	5,774	220	1,315	99
	1871	7	178	44	259	48,946	5,391	271	1,600	93
Perth - -	1861	30	26	43	139	23,000	541	425	500	179
	1871	29	37	45	151	25,000	529	456	550	203



## CITY OF GLASGOW POLICE

Appendix, No. 2

RETURN showing the Number of Persons apprehended in the City of Glasgow charged with "Disorderly Conduct," and being "Drunk and Incapable," during the Years, 1872, 1873, 1874, 1875, and 1876, distinguishing those apprehended between the Hours of 8 a.m. on Sundays and 8 a.m. on Mondays from those apprehended during the other Days of the Week.

## "DISORDERLY CONDUCT."

YEAR.	8 a.m. on Sunday till 8 a.m. on Monday.		Other Days of the Week.	
	Total.	Average each Day.	Total.	Average each Day.
1872 - - - - -	1,372	20½	21,410	68½
1873 - - - - -	899	16	20,147	64½
1874 - - - - -	812	16	20,022	66
1875 - - - - -	1,023	20	23,680	75½
1876 - - - - -	845	16	21,794	69½

## "DRUNK AND INCAPABLE."

YEAR.	8 a.m. on Sunday till 8 a.m. on Monday.		Other Days of the Week.	
	Total.	Average each Day.	Total.	Average each Day.
1872 - - - - -	625	12	21,234	100
1873 - - - - -	590	11½	24,020	110
1874 - - - - -	581	11	20,005	96
1875 - - - - -	423	8	15,492	49½
1876 - - - - -	494	9½	15,264	45

RETURN showing the Number and Rental of HOUSES Licensed for the SALE of EXCESSIVE LIQUORS in the City of GLASGOW during the Years 1853, 1855, 1873, 1874, 1875, and 1876.

YEAR.	CLASS OF HOUSE.				Average Rental.	Total Rental.		
	Hotels.	Public Houses.	Grocers.	TOTAL.		£.	s.	d.
1853 - - - - -	-	-	-	2,803	31 6 -	64,593	-	-
1855 - - - - -	44	1,414	104	1,562	69 15 -	66,205	-	-
1873 - - - - -	37	1,500	272	1,809	69 2 9	129,309	10	-
1874 - - - - -	23	1,566	209	1,807	72 15 -	156,102	-	-
1875 - - - - -	32	1,500	205	1,837	79 - -	146,705	-	-
1876 - - - - -	24	1,545	205	1,843	50 - -	159,047	10	-

TABLE headed in by Mr. Eaton, 4 April 1877, and referred to in his Evidence

Furniture Found in the Rooms Occupied by Drunk						Furniture Found when Apprehended for Offences.					
Description.	Total Days.		Yearly Average.		Daily Average.	Description.	Total Days.		Yearly Average.		Daily Average.
	1870.	1871.	1870.	1871.	1870.		1871.	1870.	1871.	1870.	1871.
During the 7 years ending with 1870	18,400	8,000	22			During the years 1870 and 1871	1,000	3,750	10 1/2		
" " " 1871	12,000	4,500	12 1/2			" " " 1871 and 1872	1,000	3,750	10 1/2		
" " " 1872	11,500	4,200	11 1/2			During the 7 years ended with 1873	14,000	5,000	14		
" " " 1873	14,000	5,000	14			" " " 1873	14,000	5,000	14		
" " " 1874	14,000	5,000	14			" " " 1874	14,000	5,000	14		

Description.	Work Days.		Sundays.		Sundays for work on Sunday Mornings and 4 hours on Monday Mornings.		Description.	Work Days.		Sundays.		Sundays for work on Sunday Mornings and 4 hours on Monday Mornings.	
	Yearly Average.	Daily Average.	Yearly Average.	Daily Average.	Yearly Average.	Daily Average.		Yearly Average.	Daily Average.	Yearly Average.	Daily Average.	Yearly Average.	Daily Average.
During the years 1870 and 1871	4,000	10 1/2	800	12 1/2	100	3	During the years 1871 and 1872	4,500	11 1/2	900	13 1/2	110	3 1/2
" " " 1871 and 1872	4,500	11 1/2	900	13 1/2	110	3 1/2	" " " 1872 and 1873	4,500	11 1/2	900	13 1/2	110	3 1/2
During the 7 years ended with 1873	4,500	11 1/2	900	13 1/2	110	3 1/2	During the 7 years ended with 1873	4,500	11 1/2	900	13 1/2	110	3 1/2
" " " 1873	5,000	12 1/2	1,000	15	120	4	" " " 1873	5,000	12 1/2	1,000	15	120	4
" " " 1874	5,500	13 1/2	1,100	16 1/2	130	4 1/2	" " " 1874	5,500	13 1/2	1,100	16 1/2	130	4 1/2

Furniture Converted of Trafficking in Expendable Liquors without Certificate.						Furniture Converted of Bonds of Certificate.							
Description.	Work Days.		Sundays.		Totals.		Description.	Work Days.		Sundays.		Totals.	
	Total Number.	Yearly Average.	Total Number.	Yearly Average.	Total Number.	Yearly Average.		Total Number.	Yearly Average.	Total Number.	Yearly Average.	Total Number.	Yearly Average.
During the 7 years ended with 1870	100	50	800	80	900	90	During the 7 years ended with 1871	100	50	800	80	900	90
" " " 1871	100	50	800	80	900	90	" " " 1872	100	50	800	80	900	90
" " " 1873	100	50	800	80	900	90	" " " 1873	100	50	800	80	900	90
" " " 1874	100	50	800	80	900	90	" " " 1874	100	50	800	80	900	90

## Appendix, No. 4.

PAPER delivered in by Mr. Hawdon.

NUMBER of PERSONS proceeded against on the following Days in the Month of Appendix, No. 4.  
December 1875, for DRUNKENNESS.

On the 24th December 1875	-	-	-	-	-	-	-	5
" 25th December	"	-	-	-	-	-	-	NIL.
" 26th December	"	-	-	-	-	-	-	NIL.
" 27th December	"	-	-	-	-	-	-	14
" 28th December	"	-	-	-	-	-	-	6
Total	-	-	-	-	-	-	-	35

NUMBER of PERSONS proceeded against on the following Days in the Month of  
December 1876, for DRUNKENNESS.

On the 24th December 1875	-	-	-	-	-	-	-	NIL.
" 25th December	"	-	-	-	-	-	-	NIL.
" 26th December	"	-	-	-	-	-	-	30
" 27th December	"	-	-	-	-	-	-	13
" 28th December	"	-	-	-	-	-	-	3
Total	-	-	-	-	-	-	-	46

## Appendix, No. 5.

PAPER put in by the Chairman.

RETURN showing the Number of PERSONS who visited PUBLIC-HOUSES in DUBLIN within the Municipal District, from 2-30 p.m. to 5-30 p.m. on SUNDAY the 30th April; and in BELFAST, CORK, LIMERICK, LONDONDERRY, and WATERFORD on SUNDAY the 13th February 1876.

CITY.	Number of Public Houses.	Number Open on the Sunday.	Number Closed on the Sunday.	Number Noted by the Police.	Number of Persons who Visited the Public-Houses on the Day in Question, from						TOTAL Number of such Persons.
					2.30 to 3.30.	3.30 to 4.30.	4.30 to 5.30.	5.30 to 6.30.	6.30 to 7.30.	7.30 to 8.30.	
					2.30 to 3.30.	3.30 to 4.30.	4.30 to 5.30.	5.30 to 6.30.	6.30 to 7.30.	7.30 to 8.30.	
Dublin - -	703	640	105	606	34,002	30,974	15,267	13,630	18,939	22,048	125,899
Belfast - -	642	468	170	463	7,000	7,019	6,260	7,415	5,773	5,416	62,933
Cork - -	366	433	73	433	6,247	4,647	4,831	4,911	4,975	4,954	26,335
Limerick -	286	216	70	310	2,644	2,064	1,716	1,963	1,940	1,930	12,176
Londonderry -	243	143	100	140	654	769	716	714	791	771	4,608
Waterford -	318	197	91	197	1,196	1,192	1,090	1,427	1,269	1,205	7,579
	2,304	2,048	548	3,283	41,306	36,736	34,760	34,479	52,914	37,343	216,616



## ANALYSIS OF INDEX.

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**Agricultural Labourers.** Injustice to agricultural labourers in debarring them from all use of public-houses on Sunday, *Daly* 4550-4553.

**Ale and Porter (Draught Beer).** Exceedingly large demand of the artisan class in Dublin for draught beer for home consumption during the first hour of opening on Sunday, *Dwyer* 1792-1794. 1804—Two-fold cost of bottled beer as compared with draught beer, so that the working classes could not afford to lay in a stock of the former for Sunday use, *ib.* 1795-1797—Very large increase in the consumption of ale and porter in Ireland as compared with that of whisky, *ib.* 1798. 1801, 1802—Belief as to beer being largely used for dinner on Sunday by the people in country towns, *ib.* 1841.

Large consumption of draught porter in Dublin as dinner-beer on Sunday; objection to this being stored on Saturday, or to the necessary use of bottled porter, *Duignan* 2738-2741. 2785-2791—Increasing practice of beer-drinking in Belfast on Sunday, but not of spirit-drinking, *Thyane* 3991—Consumption at Cork of much beer as well as whisky; very little demand, however, for beer for Sunday dinners, *Macloed* 4371, 4372. 4410-4414—Increasing consumption of porter in Dublin as compared with whisky, *Kavanaugh* 4457.

Practice of the working classes in Cork to obtain ale or porter at the public-houses on Sunday without treating their wives or children in the houses; moderation generally observed, *Berry* 4718. 4733-4736; *Curtis* 4753-4755. 4808-4814. 4835-4839—Habit of large numbers of the people as to drinking ale and porter on Sunday, *Curtis* 4787-4807.

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*Assimilation of the Law—continued.*

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*BELFAST:*

1. *Population, Police Force, Number of Publicans, &c.*
2. *Amount of Drinking and of Drunkenness on Sunday.*
3. *Operation of Shebeens or Unlicensed Houses: efficient Check on the part of the Police.*
4. *Decrease of Illicit Sale in Licensed Houses.*
5. *Improved Conduct of Spirit Grocers' Shops.*
6. *Excursionists.*
7. *Local Feeling on the Question of Sunday Closing.*

1. *Population, Police Force, Number of Publicans, &c.:*

Estimated population of 210,000 in Belfast, the area being about two and a half square miles, and the effective police force about 500 men, *Thyane* 3864-3866.—Total of

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## BELFAST—continued.

1. *Population, Police Force, Number of Public-houses, &c.—continued.*

846 licensed traders, of whom 113 are spirit grocers, and 126 beer retailers, *Thynne*, 3867-3869.

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Much less drinking in shebeens in recent years, owing chiefly to the vigilance of the police and the heavy penalties inflicted by the magistrates, *Thynne* 3877, 3885-3892.—Total of twenty-eight shebeens now known to the police, *ib.* 3878.—Large decrease since 1869 and 1870 in the convictions for sale in unlicensed houses, *ib.* 3883-3887.

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Further evidence as to the efficacy of heavy penalties and vigilant police action in keeping down the shebeens, *Thynne* 3950, 3954-3970.

Efficiency of the police of Belfast for coping with illicit sale in the event of Sunday closing being enforced; approval, however, of some increase of powers in the police as suggested by Mr. Thynne, *Orme* 4006-4015, 4040-4051.—Salutary effect of the heavy fines imposed in shebeen cases, *ib.* 4037, 4038.—Probability of an increased sale in unlicensed houses if the licensed houses were closed, *Harrel* 4266, 4267.

4. *Decrease of Illicit Sale in Licensed Houses:*

Number of convictions in different years for illicit sale in licensed houses on Sunday; decrease since the heavier fines imposed in 1874; *Thynne* 3879-3884.

5. *Improved Conduct of Spirit Grocers' Shops:*

Great improvement in the conduct of business by the spirit grocers since the increased check upon them under the Act of 1874; of 118 shops only eight are badly conducted, *Thynne* 3871-3876.

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Few excursionists into Belfast on Sunday, as compared with the number outwards, *Preston* 4113-4118, 4228-4231.—Comparatively small number of excursionists, or of those who walk about on Sunday, who use the public-houses, *Harrel* 4274-4284, 4287-4289.

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*Briscoe, Joseph.* (*Analysis of his Evidence.*)—Delegation of witness by the Journeymen Butchers' Society of Dublin, and by the Working Men's Club to appear as their representative upon the question of Sunday closing, 3003-3013.—Willingness of witness' fellow-workmen at Messrs. Hutton & Sons, coachbuilders, to have deputed him to represent them; comment hereon upon a telegram from two workmen named John Gough and Robert Higgins, protesting on behalf of fifty-five others against witness' evidence, 3013-3018, 3077.—Result of witness' long experience that the working men generally of Dublin would gladly support the Sunday Closing Bill, though some inconvenience would arise under it, 3019-3024.

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*Card-playing.* Tendency of Sunday closing in Dublin to lead to card-playing and gambling in the homes of the people, *Daily News* 2803-2808.

*Cashel Archdiocese.* Very salutary effect of the voluntary closing of public-houses on Sunday in the Archdiocese of Cashel, *Mr. Alderman M'Sweeney* 1570.

*Coffin, Mr. (Dublin.)* Explanation of the circumstances under which, on witness' opposition, a license has been refused to Mr. Coffin, though a highly respectable spirit grocer, *Dwyer* 1999-2011. 2040-2043.

*Cleary, Mr. Alderman.* (Analysis of his Evidence.)—Was mayor of Limerick in 1873, 1875, and 1874; keeps "Craze's Royal Hotel," and has had special opportunities of knowing the public feeling on the question of Sunday closing, 5000-5007.—Belief that the majority of the lower classes are favourable to total closing on Sunday, 5008. 5009.—Belief as to the feeling also of the majority of the clergy in favour of Sunday closing, 5008. 5010. 5039-5101.—Particulars relative to some public meetings at which resolutions were passed in favour of total closing on Sunday; very large representation of the working classes at one of these meetings, 5009-5025. 5028-5115. 5130.

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*Clontarf (Dublin).* Strength of the police force in the Clontarf district in reference to the suppression of illicit traffic on Sunday, *Falkner* 763-767.

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1. *Population, Police Force, Number of Public-houses, &c.*
2. *Relative Amount of Drinking and of Drunkenness on Sunday and on other Days.*
3. *Illicit Sale; Increase apprehended if the Public-houses be entirely Closed.*
4. *Excursionists and Travellers.*
5. *Local Feeling on the Question of Sunday Closing.*
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1. *Population, Police Force, Number of Public-houses, &c.:*

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3. *Illicit Sale; Increase apprehended if the Public-houses be entirely Closed:*

Very little shebeen drinking in Cork; danger of increase if the public-houses were totally closed, *Marked 4366-4369*—Very few convictions for sale in licensed houses at prohibited hours; statistics *ib.* 4370, 4436-4444.

Conclusion that an application of the Sunday Closing Bill to Cork would be most mischievous and would lead largely to illicit drinking, *Daily 4584, 4588*.

Vigilance of the police in order to detect sale at prohibited hours on Sunday; number of convictions in 1875 and 1876, these by no means representing the actual violations of the law, *Berry 4684-4697*—More violations of the law after eleven on Saturday night than on Sunday, *ib.* 4690, 4728-4732—Effectual watch kept upon shebeen-houses, *ib.* 4691, 4692—Employment of constables in plain clothes, *ib.* 4693, 4694—Necessity of a large increase of police force if there were a Sunday closing law, *ib.* 4701, 4703.

Opinion that the total closing of public-houses in Cork on Sunday would cause an increase of illicit drinking, and would be injurious physically and morally, *Carris 4749-4758, 4768-4773*—Instances of illicit drinking on Sunday; witness submitting that total closing would cause an immense deal of shebeening, and would call for a large increase of the police force, *ib.* 4750, 4756-4758, 4768, 4828, 4829, 4947.

4. *Excursionists and Travellers:*

Information relative to the number of excursionists out of and into Cork on Sunday, the latter more especially being excessively inconvenienced if they could not obtain refreshment at the public-houses, *Marked 4381-4390, 4391-4397, 4405-4409, 4416-4420, 4421-4428*—Difficulty of meeting the wants of all *dead fide* travellers as excursionists into Cork under a Sunday Closing Law, *ib.* 4345-4349—Great inconvenience to excursionists from Cork on Sunday, if unable to procure refreshments in the adjacent towns and villages; difficulty apprehended under the *dead fide* traveller clause, *Daily 4554-4556, 4565-4568*.

Difficulty as to the operation of the *dead fide* traveller clause; facility, however, to travellers as excursionists obtaining refreshments in Cork on Sunday, if the Sunday Closing Bill be passed, *Berry 4703-4710, 4719-4724, 4737, 4738*—Large number of Sunday excursionists out of Cork, these generally taking refreshments with them; hardship if these could not go to public-houses, *ib.* 4710-4715, 4717, 4739-4742.

5. *Local Feeling on the Question of Sunday Closing:*

Canvass of Cork on the part of the Sunday Closing Association in 1876, when 9,172 persons voted for closing and 1,499 against, *Russell 2212*—Total of 29 licensed dealers in Cork in favour of closing, whilst there were 126 against, *ib.* 2212-2215.

Feeling of the public of Cork, including all classes, adverse to the Sunday Closing Bill, but favourable to a curtailment of the present hours, *Marked 4326-4330, 4378-4391*—Particulars relative to two meetings, at each of which resolutions were passed against Sunday closing; belief that there has not been any public meeting favourable to the Bill, *ib.* 4378-4391, 4398-4400.

Belief that the great majority of the working classes of Cork are entirely opposed to the Sunday Closing Bill, *Daily 4537, 4544-4553, 4571-4574, 4606*—Feeling expressed at public meetings in opposition to the Bill; facility, however, of large employers in influencing the tone of public meetings on such questions, *ib.* 4547-4549, 4600-4606—Spirit of Sabbatarianism by which many employers of labour and of the upper classes generally in Cork are actuated in advocating Sunday closing, which has become a crotchet with some people, *ib.* 4575-4587, 4603-4605, 4624—Dissatisfaction in the district round Cork, as well as in that city, if total closing were enforced, *ib.* 4606, 4607.

Feeling of the clergy of different denominations in Cork, and of merchants, doctors, and others, in favour of a shortening of the hours of sale on Sunday, but not of total closing, *Carris 4759, 4760, 4763*—Special opportunities of witness for knowing the habits



## CORK—continued.

## 5. Local Feeling on the Question of Sunday Closing—continued.

habits of the people of Cork as to drinking; denial that there is any demand for Sunday closing, *Carris* 4750, 4761, 4763, 4846-4848, 4890, 4897-4916, 4899—Strong feeling growing against the Bill, several instances of gentlemen who were favourable to it having since declared against it, *id.* 4760-4765, 4812, 4823, 4935-4961, 4975-4977.

## 6. Similar Regulations required for the City and Suburbs:

Expediency of Cork and its suburbs being under the same regulations as to the hours of closing, *Meredith* 4353, 4355—Mischief likely to result if the public-houses were closed on Sunday in the towns near Cork and were open in the city, or if they were closed in the city and were open in the country to *bona fide* travellers, so called, *Daly* 4557-4558.

See also *Adulteration. Ale and Porter. Clergy. Saturday.*

*Carr, Richard.* (Analysis of his Evidence.)—Is Chief Superintendent of the Dublin Metropolitan Police; has been nearly forty years in the force, 993, 992—Previously to 1872 the hours for the sale of drink in Dublin on Sunday were from two to eleven, the houses closing at nine since that year, 993-997—Result of witness' experience that there is less drunkenness on Sunday than on other days, 997—Statement of the number of summonses against publicans, spent grocers, and others, in each of the years 1866-71; 995-1000—Great extent to which illicit drinking is carried on during the prohibited hours on Sunday, 1003-1007—Vile stuff sold in some of the unlicensed houses, 1008.

Increased number of convictions for illicit drinking on Sunday since the Act of 1872; 1008-1011—Advantage if the houses were closed at nine or half-past nine on Saturday evening, though inconvenience would arise as regards marketing, and there would be more illicit traffic, 1016-1024, 1028-1035, 1093-1097—Great inconvenience to the public by total closing on Sunday, 1035—Improvement when the hours of sale on Sunday were curtailed in 1872, witness approving of a further shortening of the time by closing at seven instead of nine, 1026, 1036-1038—Very few arrests for drunkenness on Sunday, 1027.

Evidence in support of the conclusion that total closing on Sunday would lead to a large increase of illicit traffic, and that in order to effectually deal with such traffic the police force must be largely increased, 1038-1044, 1049-1050, 1102-1110, 1163-1177—Consumption of whisky rather than of porter and ale by habitual drinkers in Ireland, 1045-1048—Difficulty anticipated in respect of *bona fide* travellers, so called, if the houses are to be opened upon applications from that class, 1059, 1060, 1138-1162.

Consideration of the duties now discharged by the police in watching unlicensed houses and illicit traffic; inability of the force to suppress the traffic, 1061-1081, 1115-1155—Doubts as to the decrease of illicit distillation in the country being due mainly to the exertions of the constabulary, 1071-1077, 1111-1114—Decrease of drinking on Sunday if wages were paid on Friday, 1081, 1086—Strong popular objection to Sunday closing, and to the employment of the police as detectives, 1083-1092.

Valuable check to illicit sale if there were increased penalties in the shape of imprisonment, without the option of a fine, 1098-1101—Approval of some distinction between winter and summer as regards the hour of closing on Sunday, 1102-1105—Impetus to illicit sale and increase of intemperance in a certain class by total closing on Sunday, 1106-1110, 1163-1177—Explanation as to the action of the police in regard to prosecutions for illicit sale, and as to the procedure by means of warrants, 1115-1150.

Instances of the great difficulty of detection of illicit sale, even if the police were in plain clothes, 1148-1155—Objection to Sunday closing by the police solely on public grounds, 1156, 1157—Conclusion that, whatever the restrictions and precautions, there is a class of people in Dublin who will indulge in drink to excess, 1163-1177.

*Country Districts.* Approval of Sunday closing in country districts, *Talbot* 227—Examination in support of the conclusion that in country towns and country districts the public-houses may be closed on Sunday without causing material inconvenience, but not so in Dublin, *id.* 413-437, 573-582, 603, 604, 628, 629, 793-796—Improper purposes for which public-houses in the country are sometimes resorted to on Sunday, so that on this score, rather than on that of intemperance, it may be expedient to close them, *id.* 793-796.

Further evidence to the effect that Sunday closing may be carried out in provincial towns with little if any inconvenience, but not in Dublin; more comfortable homes in country towns than in Dublin, and better facilities for storing drink for Sunday use, *Talbot* 351-354, 386-390—Obstacle to voluntary closing in Dublin or Cork, though it has been carried out in country places, *Carris* 4925-4927.

**Crime.** Great aggravation of the vice of intemperance in the city of Dublin, where it is the cause, directly or indirectly, of an immense amount of crime, *Falkner* 1181.—Comment upon the fact of there being fifty per cent. more crime or indictable offences in Dublin than in all the rest of Ireland, *ib.*—Greater need for Sunday closing in Dublin than in other towns and in rural places; reference hereto to the excessive proportion of crime in Dublin, much of it being due to drink, *ib.* 1235-1236. 1235.

Witness further submits that a large portion of the crime of Dublin is due to intemperance, and that there should not be differential legislation as regards Dublin, *Falkner* 1398-1400. 1431.

Explanation as regards the apparently large amount of crime in Dublin, that the great majority of the convictions are for petty larceny, and for assaults on the police; large diminution in the latter, *Dwyer* 2037.—Statement showing a very large decrease of crime in Ireland since 1864, although there has been a great increase in the consumption of spirits, *Fisher* 6656-6659.

**Callen, Cardinal.** Strong and influential support given by Cardinal Callen to the Sunday closing movement, *Mr. Alderman McSwiney* 1480, 1481.

**Curtis, Dr. James Good.** (Analysis of his Evidence).—Several medical appointments held by witness at Cork; large experience obtained upon the subject of drunkenness, 4745-4748. 4760.—Opinion that the total closing of public-houses in Cork on Sunday would cause an increase of illicit drinking, and would be injurious, physically and morally, 4749-4758. 4768-4773.—Instances of illicit drinking on Sunday, witness submitting that total closing would cause an immense deal of scheming, and would call for a large increase of the police force, 4750. 4766-4768. 4768. 4828, 4829. 4947.

Belief that if the public-houses were entirely closed on Sunday the working classes, instead of drinking ale or porter, would purchase whisky on Saturday for Sunday consumption, 4750-4755.—Evidence as to the very inferior and injurious character of the whisky sold at many houses in Cork, and as to its deteriorating effects physically, if consumed extensively on Sunday in lieu of ale and porter, 4750. 4758. 4774-4807. 4844-4897. 4833-4835. 4842-4845. 4928-4946.

Practice of the working classes in Cork to obtain ale or porter at the public-houses on Sunday without treating their wives or children in the houses; moderation generally observed, 4753-4755. 4808-4814. 4836-4839.—Large proportion of those committed for drunkenness on Sunday who are habitual drunkards re-committed, 4753. 4840, 4841.—Feeling of the clergy of different denominations in Cork, and of merchants, doctors, and others, in favour of a shortening of the hours of sale on Sunday, but not of total closing, 4759, 4760. 4763.—Statement as to voluntary closing not being applicable to Cork, though carried out successfully in some parts of Ireland; reference hereto to the influence of the Roman Catholic clergy over the people, and over the publicans respectively, 4759, 4760. 4966-4974.

Exceedingly orderly manner in which the people of Cork spend their Sundays; less drunkenness than on other days, there being no necessity for a Sunday Closing Bill, 4760-4769. 4846-4849.—Special opportunities of witness for knowing the habits of the people of Cork as to drinking; denial that there is any demand for Sunday closing, 4760, 4761. 4763. 4846-4849. 4889, 4890. 4897-4916.—Strong feeling growing up against the Bill; several instances of gentlemen who were favourable to it having since declared against it, 4763-4765. 4822, 4823. 4955-4961. 4975-4977.

Large amount of drinking on Monday, as well as on Friday and Saturday, 4765-4767.—Improvement if wages were paid on Thursday, 4767.—Very mischievous operation of the Saturday half-holiday in Cork, 4767. 4948-4954.—Holds of large numbers of the people as to drinking ale and porter on Sunday, 4767-4807.—Examination upon the question whether the Roman Catholic clergy elsewhere than in Cork are not strongly in favour of the Sunday Closing Bill, 4816-4821.

Belief as to the injurious operation of Sunday closing in Scotland; data for this conclusion as compared with the testimony given to the opposite effect, 4826, 4827. 4830-4832. 4891-4916.—Reprobation of the practice of illicit drinking on Sunday evening as contrary to the law and to public morality, 4850-4863.—Weight to be attached to the feeling of the minority as well as of the majority upon the question of Sunday closing, 4863-4873.

Suggestion that the hours of sale on Sunday be from two to six in winter, and from two to seven in summer, 4874.—Advantage of closing at nine instead of eleven on Saturday night, though more police precautions would be necessary for preventing illicit drinking, 4875-4888.

Circumstances of the Roman Catholic clergy in Tipperary and Wexford having induced Sunday closing, 4917-4925.—Obstacle to voluntary closing in Dublin or Cork, though it has been carried out in country places, 4925-4927.—Examination upon the question whether clubs should not be placed by law under the same restrictions as public-houses in regard to the supply of drink, 4978-5001.

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*Daly, Mr. Alderman.* (*Analysis of his Evidence.*)—Has been Mayor of Cork for three consecutive years (1871-73), and is well conversant with the views of the middle and lower classes upon the question of Sunday closing, 4532-4533, 4540, 4544—Believes that the great majority of the working classes of Cork are entirely opposed to the Sunday Closing Bill, 4537, 4544-4553, 4571-4574, 4606—Submits that the Bill would deprive large numbers of the people of reasonable facilities of obtaining refreshment, and would operate as a hardship and an injustice, 4538, 4539, 4541-4543.

Small minority of the people who abuse the privilege of open public-houses on Sunday; less drunkenness in Cork on Sunday than on any other day, 4539-4541—Feeling expressed at public meetings in opposition to the Bill; facility, however, of large employers in influencing the tone of public meetings on such questions, 4547-4549, 4600-4605—Injustice to agricultural labourers in debarring them from all use of public-houses on Sunday, 4550-4553.

Greatest inconvenience to excursionists from Cork on Sunday if unable to procure refreshments in the adjacent towns and villages; difficulty apprehended under the *land* *side* traveller class, 4554-4556, 4661-4663—Mischiefs likely to result if the public-houses were closed on Sundays in the towns near Cork, and were open in the city, or if they were closed in the city and were open in the country to *land* *side* travellers, so called, 4557, 4558.

Views of a large majority of the clergy in Cork of favour of restriction on Saturday night, and of reasonable hours of opening on Sunday; witness' opinion is to the same effect, 4559, 4670—Opinion of many of the clergy that a voluntary pledge to abstain from intemperance is far better than a compulsory pledge, 4560-4562—Conviction of witness that an application of the Sunday Closing Bill to Cork would be most mischievous, and would lead largely to illicit drinking, 4564, 4588.

Inconvenience in towns generally, as well as in Cork, by total closing on Sunday, 4565, 4566—Inequality in the upper classes being able to procure drink at clubs on Sunday, whilst it is proposed to deprive the lower classes of the use of public-houses; degree of inequality at present in this respect, 4567-4570, 4654-4661—Spirit of Sabbotarianism by which many employers of labour, and of the upper classes generally, in Cork are actuated in advocating Sunday closing, which has become a catchword with some people, 4575-4587, 4603-4605, 4624.

Examinations upon the question whether the wishes of the majority at Belfast and other places in favour of the Bill, should not be deferred to equally with the wishes of the majority at Cork adverse to the Bill, 4538-4600—Expediency of a further limitation of the hours at Belfast, rather than of total closing; that is, in deference to the objections of the minority, 4580-4591, 4605—Dissatisfaction in the district round Cork, as well as in that city, if total closing were enforced, 4606, 4607—Great importance of improved sanitary and social conditions as a check upon intemperance, 4608, 4609.

Result of witness' experience many years ago in Scotland that there was a great excess of Sunday drinking there as compared with Ireland, 4610-4617—Consideration of the circumstance of the Roman Catholic clergy and people of Tipperary having combined to carry out Sunday closing, 4618-4619—Examination also upon the Sunday closing movement in Wexford, under the auspices of the Roman Catholic clergy; degree of success attained, 4620-4646.

Approval of continued action of the clergy, as in Tipperary, Wexford, Carrig, and Galway, in inducing voluntary closing on Sunday, this being very different from an arbitrary law on the subject, 4647-4653, 4669—Doubtful success of any movement on the part of the clergy of Cork with a view to total closing, though a similar movement in smaller towns may have been successful, 4669-4670.

*Demoralisation.* Witness would gladly see the public-houses entirely closed on Sunday, but that he fears increased demoralisation, *O'Dowd* 2047, 2054.

*See also Crime. House-drinking. Illicit Sale.*

*Differential Legislation.* Anomaly in public-houses being open on Sunday, whilst trade generally is prohibited on that day, *Falliner* 1436-1438, 1446-1448—Complaint on the part of traders generally as to the exclusive privilege of publicans and spirit-grocers in selling on Sunday, *Burzell* 2244-2245, 2255.

*See also Assimilation of the Law. Dublin, 13.*

*Draught Beer. See Ale and Porter.*

*Drunkenness.* Belief that intemperance is a national vice in Ireland, *Falliner* 1181—Large diminution of drinking on the whole if the Bill be passed, *ib.* 1217—Numerous cases of half drunkenness without arrest, *ib.* 1366, 1367, 1408—Further statement as to 159.

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*Drunkenness—continued.*

to intoxication being a national vice of Ireland, which must be eradicated before the condition of the lower classes can be properly ameliorated, *Falkiner 1373-1376.*

Belief that even in large cities like Dublin there is more drinking on Sunday than on Saturday, *Russell 2567-2568*—Probability that throughout Ireland, generally, Sunday takes its share of the increased consumption of drink, *ib. 2568-2561.*

Conclusion that the Bill would not have the effect of lessening intemperance, *Dwyer 1829*—Trivial effect of Sunday drinking as compared with the excessive drinking during the rest of the week, *Ellard 6034*—Less drunkenness on Sunday than on any other day of the week; shorter hours of sale on Sunday, whilst the opportunities for drinking are greater than on working days, *ib. 6030-6033, 6057, 6058, 6069.*

Witness would approve of the total closing of public-houses on Sunday, but that he fears an increase of drunkenness thereby, *Fisher 6578-6580*—Statistics in support of the conclusion that repressive legislation hitherto, by shortening the hours of sale, has been followed in Waterford and in Ireland, generally, by a large increase in the consumption of drink and in the amount of intemperance, *ib. 6580-6583, 6621-6624*—Circumstances of the amount of drunkenness not having increased in proportion to the increased consumption of whiskey, *ib. 6626-6629, 6641*—Increase or decrease of arrests for drunkenness according to the action of the heads of the constabulary, *ib. 6661.*

See also *Belfast, 2. Carl, 2. Crime. Dublin, 3. Habitual Drunkards, Houses of the Lower Classes. Limerick, 2. Penalties. Poverty. Sanitary Improvements. Saturday. Waterford, 2. Working Classes.*

*DUBLIN:*

1. *Area and Population of the Metropolitan Police District.*
2. *Number of Public-houses, and of Licences of different kinds.*
3. *Amount of Drinking and of Drunkenness on Sunday and on other Days.*
4. *Illicit Sale; extent to which now practised.*
5. *Action of the Police in connection with Illicit Traffic: want of increased Powers and Penalties.*
6. *Probable Effect of the Bill as regards Illicit Traffic on Sunday; apprehensions on the part of the Police Authorities.*
7. *Local Feeling upon the Subject of Total Closing of the Public-Houses on Sunday.*
8. *Particulars in connection with Public Meetings upon the Question of Sunday Closing.*
9. *Views of Publicans upon the Question at Issue.*
10. *Workmen's Clubs.*
11. *Proposed Shortening of the Hours of Sale on Sunday.*
12. *Similar Hours desirable for the whole Metropolitan Police District.*
13. *Expediency of the same Law for the City and the Outlying Districts.*

1. *Area and Population of the Metropolitan Police District:*

Total of thirty-four square miles in the area comprised in the district under witness, the population in 1871 having been 337, 589; *Talbot 243, 245.*

2. *Number of Public-houses, and of Licences of different kinds:*

Particulars as to the number of licences of different classes in Dublin, *Reed 302*—Total of 1,019 public-houses in the metropolitan police district in January 1876, *Talbot 247*—Total of sixty-three six-day licences, and of five or six six-day licences with early closing, out of an aggregate of 1,000 public-houses in the Metropolitan Police District, *ib. 306, 307, 321. 620-622.*

Very irregular distribution of public-houses throughout Dublin, a re-distribution being much required, *Kavanaugh 4452, 4453. 4517.*

Returns containing particulars as to the number of public-houses, &c., and the number of licences of different classes, *App. 329, 340.*

3. *Amount of Drinking and of Drunkenness on Sunday and on other Days:*

Extensive resort of the drinking classes of Dublin to the public-houses on Sunday; statistics on the subject, being the result of inquiries by the police at different periods, *Talbot 246-253*—Total of 46,237 persons who visited 216 public-houses on Sunday, the 5th of January 1876; large number of visits to 623 other houses on two Sundays in April 1876, *ib. 250-253*—Number of persons who visited fifty of the principal public-houses in each hour from two to nine on Sunday, the 18th of February 1877: total of 34,680, *ib. 262, 263.*

Diminution in the number of arrests and of convictions for drunkenness in 1876, as compared with 1875, *Talbot 350-352*—Explanations in connection with the apparently large

*DUBLIN—continued.*

3. *Amount of Drinking and of Drunkenness on Sunday and on other Days*—*con.*—large proportion of the population who visit public-houses on Sunday; doubt as to the relative proportion on week days, *Talbot* 444-464—Relative number of arrests on Saturdays, Sundays, and Thursdays, *ib.* 805.

Conclusion as to the public-houses in Dublin being more used by the respectable people, and by moderate drinkers on Sunday than on week days, there being fewer arrests on the former day, *Talbot* 746-790—Deductions further drawn between the use and the abuse of public-houses on Sunday; further reference herein to the smaller number of arrests on that day than on other days, *ib.* 802-805—Consideration of the opinion expressed by the judges and by the Recorder of Dublin, that horrible disorders occurred in the city through drink; reference herein to remarks made on the police, witness not admitting the prevalence of public disorder generally, *ib.* 915-932. 983-985.

Result of witness' experience, that there is less drunkenness on Sunday than on other days, *Corr* 997—Very few arrests for drunkenness on Sunday, *ib.* 1007.

Number of arrests in Dublin for drunkenness on Sundays in each of the years 1869-76; decrease since the former year, though there has been an increase since 1873, *Falkner* 1183-1193. 1220-1222—Admission as to their being fewer arrests and less drunkenness on Sunday than on other days, witness, however, advocating Sunday closing as an important means towards moral improvement, *ib.* 1336-1342. 1353-1355—Small percentage of excessive drinkers on Sunday who are arrested, *ib.* 1366, 1367. 1408—Belief that intemperance on Sunday is on the increase in Dublin, *Mr. Alderman McSwiney* 1330-1333.

Fewer arrests for drunkenness on Sundays than on other days; this is owing partly to the shorter hours of opening on Sunday, and to the people going largely into the suburbs, *Woodcock* 1640-1642. 1730, 1741—Greater excess of Sunday drinking inside than outside the municipal boundary, so that total closing would be a greater interference with the habits of the people as the former case, *ib.* 1653-1656—Probability of the cases of drunkenness before the magistrates, including many individuals arrested repeatedly, who are in fact habitual drunkards, *ib.* 1665-1701—Variation in the number of cases of drunkenness from year to year; reduction in 1876, *O'Donnell* 2118, 2119.

Unreliable character of the police statistics of drunkenness in Dublin, *Russell* 2562, 2563—Grounds for the conclusion that Sunday drunkenness has decreased since the alteration in the hours of closing in 1872, *ib.* 2626-2637.

Return showing the number of persons who visited public-houses in each hour from 2.30 p.m. to 8.30 p.m. on Sunday the 30th April 1875; total of 192,299 visits, *App.* 345.

4. *Illicit Sale; Extent to which now practised:*

Very large extent to which drinking takes place in unlicensed houses in Dublin on Sunday within the city limits; this chiefly occurs before licensed houses are open, *Talbot* 266. 272-281—Total of about 117 unlicensed houses known to the police, *ib.* 270—Belief that the more respectable classes do not drink before two o'clock on Sunday, and that as a rule the licensed houses do not sell liquor before that hour, *ib.* 282-286—Very rare sale at illegal hours on Sunday by the publicans, *ib.* 323.

Total of 260 spirit grocers, and 154 beer dealers in Dublin; great difficulty in preventing illegal sale in these houses, *Talbot* 322-326—Estimate of 226 as the total number of unlicensed houses, *ib.* 320—Origin of sale in unlicensed houses on Sunday through the closing of licensed houses; objection, however, to diminishing the present hours of closing, in order to prevent illicit sale, *ib.* 333-354—Statement of the number of cases against publicans, spirit grocers, beer dealers, and unlicensed houses, and the number of fines inflicted in 1874, 1875, and 1876; *ib.* 350.

Number of summonses against publicans, spirit grocers, and others in each of the years 1866-71, *Corr* 998-1000—Great extent to which illicit drinking is carried on during the prohibited hours on Sunday, *ib.* 1003-1007—Increased number of convictions for illicit drinking on Sunday since the Act of 1872, *ib.* 1008-1011.

Extensive prevalence of illicit trading on Sunday both in licensed and unlicensed houses; several instances in illustration of the great abuse in this respect, *Falkner* 1183-1187—Large increase since 1869 in the convictions for illicit sales on Sunday, *ib.* 1184—Concurrence in the view that much of the drinking on Sunday takes place in unlicensed houses and at forbidden hours of sale, it being highly expedient to remedy this abuse, irrespective of the present Bill, *ib.* 1342-1352.

Belief as to there being much illicit drinking in unlicensed houses, though the police are now more vigilant in suppressing this traffic, *Mr. Alderman McSwiney* 1475-1477—Opinion that the publicans of Dublin are generally a law-abiding body of men, and do not sell illicitly on Sunday, *Woodcock* 1635—Prevalence of illicit drinking on Sunday in beer-houses and in unlicensed houses; reference especially to wholesale beer-dealers' houses, *ib.* 1835-1838—Impression that illicit drinking is not on the increase, *ib.* 1836.

## DUBLIN—continued.

4. *Illicit Sale; extent to which now practised*—continued.

Large increase of illicit drinking and of police complaints against public-houses since the hours of sale were shortened in 1872; opinion that the more numerous complaints are not attributable to increased vigilance of the police, *Dwyer* 1766-1771, 1815-1817. Considerable abuse on the part of spirit grocers and beer-sellers under the Act of 1853; illicit sale also by many of these on Sunday, which would be increased if the public-houses were entirely closed, *ib.* 1833-1835, 1992.

Result of the experience of witness and Mr. Woodcock, as licensing magistrates, that there is, on the whole, worse drinking during the hours of closing on Sunday morning up to two o'clock than after the licensed houses are opened; illustrations to this effect, *O'Donel* 2047, 2091-2095.—Conviction expressed that the police cannot prevent the people of Dublin from getting drunk on Sunday so long as they have money in their pockets; the whole city is, in fact, saturated with whiskey and other liquors, *ib.* 2047, 2048.—Belief that the great body of the licensed victuallers faithfully observe the present law, illicit traffic being carried on chiefly by beer-sellers and spirit grocers, *ib.* 2047-2055.

Careful personal investigation by witness of the practice of illicit sale of liquor on Sunday; great abuse which he found to prevail, *Russell* 9551-9554.—Instances of houses which sell illicitly on Sunday morning, although the police do all they can in the way of detection, *Kearney* 4483-4489.—Doubt as to illicit drinking on Sunday having increased of late, *ib.* 4485.

5. *Action of the Police in connection with Illicit Traffic; want of increased Powers and Penalties.*

Necessity of the police having a warrant before entering unlicensed houses; great difficulty on this and other grounds in convicting and suppressing the owners of these houses, *Taiter* 273-278, 325.—Proposal that the penalty for sale in unlicensed houses be greatly increased, and that in certain cases imprisonment should necessarily follow upon conviction, *ib.* 340-346, 383-389.—Earnest action of the police authorities with a view to suppressing the sale in unlicensed houses on Sunday; further powers being, however, much required, *ib.* 499-508, 513-518.—Want of an increased police force in order to better watch unlicensed houses on Sunday, and to prevent disorder, *ib.* 513-529.

Further consideration of the present powers of the police for the suppression of unlicensed houses; objection to entering suspected houses without a warrant, or in private clothes, *Taiter* 591, 595-601, 676-702, 713-719.—Absence of any special watching of unlicensed houses on week days, *ib.* 636-638.—Similar police force required in Dublin, irrespective of public-houses and the licensing laws, *ib.* 683-671.—Special staff of sergeants for entering the houses with warrants; grounds for objecting to their acting as detectives, and not going about in uniform, *ib.* 670-681, 760-765.

Explanations with further reference to the means of punishment for illicit sale, and the penalties as to fines; approval of the imprisonment of unlicensed persons without the option of a fine, *Taiter* 689-702, 713-719.—Instances of complaints as to the action of the police in reference to illicit sale, *ib.* 730-735.—Decided objection to young and inexperienced policemen being entrusted with the power of entering houses without the formality of a warrant, *ib.* 739-744.

Statement in correction and elucidation of former evidence as to the strength of the Dublin police, and as to the special duties discharged in connection with the sale of drink, *Taiter* 837-839.—Duties of the police at churches on Sunday, especially as a check upon bands of music playing through the streets; different class of men employed in watching the public houses, *ib.* 857-861, 930-932.—Absence of any special written instructions to the superintendents relative to the public-houses, *ib.* 886, 887.—Large number of warrants under which illicit sale may be detected, *ib.* 887, 888.

Consideration of the duties now discharged by the police in watching unlicensed houses and illicit traffic; inability of the force to suppress the traffic, *Carr* 1061-1081, 1116-1155.—Doubt as to the decrease of illicit distillation in the country being due mainly to the exertions of the constabulary, *ib.* 1071-1077, 1111-1114.—Valuable check to illicit sale if there were increase of penalties in the shape of imprisonment, without the option of a fine, *ib.* 1098-1101.—Explanation as to the action of the police in regard to prosecutions and summonses for illicit sale, and as to the procedure by means of warrant, *ib.* 1115-1150.—Instances of the great difficulty of detection of illicit sale, even if the police were in plain clothes, *ib.* 1148-1155.

Supineness on the part of the police in past years in reference to illicit traffic; much greater activity of late, owing to the growing public opinion in favour of active interference, and to other causes, *Falliner* 1184, 1187.—Expediency of the magistrates dealing severely with cases in which watchmen are employed by houses carrying on illicit traffic, *ib.* 1187.—Explanation that the employment of policemen in private clothes, in order to detect illicit sales, is not discountenanced by the authorities, *ib.*

Prospect of a large decrease of illicit traffic on Sunday, if the police be properly supported in the necessary steps for its suppression, *Falliner* 1187, 1194.—Improvement if

## DUBLIN—continued.

5. *Action of the Police in connection with Illicit Traffic, &c.—continued.*

if the police were more frequently to obtain warrants in the case of suspected houses, *Fallicker* 1215, 1216—More strict exercise of the powers of the police for the suppression of illicit traffic on Sunday since public opinion on the subject has been aroused, *ib.* 1345, 1350, 1350-1362, 1365.

Fallacy in supposing that the police would be looked upon as common informers if they were to dress in private clothes in order to detect illicit sale on Sunday, *ib.* 1409-1411—Sufficiency generally of the powers of the police, by means of warrant, *ib.* 1413—Importance of putting down the watching system in connection with illicit sale, *ib.* 1414—Wast of earnest efforts on the part of the community generally, as well as the police, in order to effectually suppress illicit drinking on Sunday, *ib.* 1429.

Room for increased vigilance on the part of the police in dealing with illicit sale; suggestion that some detectives be employed for the purpose, *Mr. Alderman McSwiney* 1478, 1567-1573—Opinion that by employing special detectives the police authorities may effectually deal with illicit sale, *ib.* 1577, 1578.

Insufficiency of the present fine for illicit sale; increase suggested, *Woodcock* 1661, 1662—Advantage of a heavier money penalty rather than of imprisonment, *ib.* 1663, 1664, 1683—Very careful precautions taken by illicit vendors, so that the police can very rarely establish convictions, *O'Donel* 2047, 2051-2055.

Apathy of the police in the matter of illicit sale, though there has been much improvement of late in consequences of representations to the Chief Secretary for Ireland, *Russell* 2552-2561—Expediency of removing the police from the church entrances on Sunday and employing them in watching the illicit traffic, which might soon be suppressed, *ib.* 2567.

Importance of more efficient action on the part of the police in suppressing illicit traffic on Sunday morning; great extent of this abuse, *Daigean* 2791, 2742, 2743—Great importance of preventing illicit sale in beerhouses; want of more active police supervision in the matter, *Brison* 3041, 3092-3095, 3136-3140—Suggestion that police in private clothes who enter shebeens, should have the same power as to seizure of drink, &c., as though they were provided with a warrant, *Thyne* 3290-3292, 3298, 3837-3940.

6. *Probable Effect of the Bill as regards Illicit Traffic on Sunday; Apprehensions on the part of the Police Authorities:*

Belief that total closing on Sunday in Dublin would cause numerous unlicensed houses to spring up, where whiskey of an inferior and impure character would be sold, *Taffet* 304, 305, 308-310—Particulars relative to the strength and distribution of the Dublin police, as showing that the present force is altogether inadequate in view of a large increase of sale in unlicensed houses, *ib.* 319-324, 326-402—Limited extent to which total closing would cause respectable people to go to unlicensed houses, though the drinking classes generally would frequent such places, *ib.* 405-412.

Large increase of drinking in unlicensed houses, and of the number of law breakers, if the licensed houses be entirely closed on Sunday, *Taffet* 530-539, 560-570—Greatly increased difficulties of the police on Sunday if the houses were entirely closed, *ib.* 585, 591—Large increase of force and of cost if illicit sale is to be effectually dealt with, the licensed houses being entirely closed, *ib.* 591-594, 606-609, 634, 635, 711-713, 737, 738.

Further evidence in support of the conclusion, that though total closing on Sunday would not be likely to cause riots, it would throw very onerous duties on the police, would lead to assaults, and would produce an ill-feeling between the people and the police, *Taffet* 840-849, 854-875—Explanation that it is not the duty of witnesses as Assistant Commissioners of Police, to look after the public-house business, and that he has had no experience of total closing on Sunday, *ib.* 876-883—Circumstances of the superintendents being, with one exception, opposed to total closing on Sunday, *ib.* 884, 885.

Evidence in support of the conclusion that total closing on Sunday would lead to a large increase of illicit traffic, and that, in order to effectually deal with such traffic, the police force must be largely increased, *Carr* 1038-1044, 1049-1080, 1109-1110, 1163-1177—Strong popular objection to Sunday closing, and to the employment of the police as detectives, *ib.* 1083-1092—Impetus to illicit sale and increase of intemperance in a certain class, by total closing on Sunday, *ib.* 1106-1110, 1183-1177—Objection to Sunday closing by the police, solely on public grounds, *ib.* 1178, 1157—Conclusion that, whatever the restrictions and precautions, there is a class of people in Dublin who will indulge in drink to excess, *ib.* 1163-1177.

Anticipated attempts to increase illicit sales, but not successfully, if the police be duly supported in taking energetic action, *Fallicker* 1212-1217, 1258, 1261-1263—Further conclusion as to its being feasible by more efficient action of the police and more strict punishment by the magistrates to suppress illicit traffic on Sunday, even if the licensed houses

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6. *Probable Effect of the Bill as regards Illicit Traffic, &c.*—continued.

houses be closed by law, *Falkiner* 1258, 1261-1263, 1270-1272—Importance of the police acting as a detective force in order to effectually cope with illicit traffic; doubt as to much increase of force being necessary if the Bill be passed, *ib.* 1356-1365.

Dissent from Capt. Talbot's views as to the difficulties to be encountered by the police in enforcing Sunday closing, *Mr. Alderman McSwiney* 1504-1507—Limited increase of illicit drinking to be apprehended as a result of total closing; reference hereon to the exceedingly low and disreputable character of the unlicensed houses, *Feedock* 1657-1660—Inducement to subsequent drinking in unlicensed houses on Sunday, if men have the opportunity of commencing to drink in the public houses, *ib.* 1745, 1743.

Apprehension lest the total closing of public-houses on Sunday would greatly aggravate the present evil of illicit drinking in beer-shops and unlicensed houses, *O'Donnell* 2047—Enormous increase expected in the number of illicit houses, *ib.*

Further statement as to the large amount of illicit drinking before the licensed houses are opened on Sunday, and as to the probable increase of the evil arising from abstinence by the total closing of the licensed houses, *O'Donnell* 2091-2112, 2123-2130—Prospect of the benefit from earlier closing on Sunday outweighing the evil from an increase of illicit traffic, *ib.* 2120-2130.

Evil of total closing as causing the beer-shops and illicit houses to be more largely frequented, *Diyeon* 2699, 2700, 2735.

Conclusion, from witness' experience in Glasgow, that Sunday closing in Dublin would necessitate for some time very vigorous action of the police in suppressing unlicensed houses, and illicit sale, but that after a few years the illicit trade would be effectually kept under, *McCall* 3464-3469—Brief that there is no good ground for the apprehensions of the police authorities of Dublin as to the effect of Sunday closing in that city, *McCall* 3471-3481, *Linton* 3687-3691, *List* 3800-3802—Approval of public-houses in Dublin being restricted from selling on Sunday, save in the case of those especially licensed for the purpose, *List* 3793-3795.

7. *Local Feeling upon the Subject of Total Closing of the Public-houses on Sunday.*

Impression as to the trades of Dublin being opposed to total closing on Sunday, *Talbot* 403, 404—Absence of agitation against the present Bill, owing probably to the feeling that it would never pass, *ib.* 581, 582, 612, 613—Result of inquiries by witness, through his superintendents, that the tradespeople of Dublin are opposed to total closing on Sunday, *ib.* 745, 746.

Approval of Sunday closing in Dublin, if it were the wish of the people at large, the feeling, however, being far from unanimous, *Talbot* 836, 837—Authority for witness' conclusion as to a majority of the trades of Dublin being opposed to total closing, *ib.* 890-893—Examination as to the grounds for concluding that the large majority of those frequenting the public-houses on Sunday, belong to the householder or roomholder class, *ib.* 901-914.

Belief that only a small majority would be inconvenienced by the Bill, and that these would readily conform to the law, *Mr. Alderman McSwiney* 1467-1474, 1494, 1496-1514, 1515—Very small minority of the people among whom dissatisfaction would be created by total closing, *ib.* 1494, 1495, 1502, 1514, 1515.

Particulars relative to the house to house canvass in Dublin upon the question of Sunday closing; total of 25,075 individuals who voted in favour thereof, and of 3,104 who voted against, *Russell* 2181-2190—Payment of the canvassers for the Sunday closing association irrespective of the number of votes obtained, *ib.* 2364-2377.

Examination on the circumstance of votes having been obtained from only about one-half the total number of householders and roomkeepers in Dublin; large vote probably made of public houses on Sunday by those who did not sign the voting papers, *Russell* 2368-2381, 2368-2371, 2584-2595—The papers were left one day and called for the next, the signatures having been assumed to be *hand slide*, *ib.* 2368-2383—Influence exercised in order to induce the trade societies in Dublin to petition against the Bill, only seventeen out of fifty-four having responded, *ib.* 2517-2523.

Witness, who is secretary to the Brassfounders' Society of Dublin, has been deputed to attend the Committee by a meeting which comprised delegates from eighteen of the trades of the city, *Duignan* 2687-2693—Objection to Sunday closing by at least five-sixths of the trades represented by witness; a shortening of the hours would probably not be opposed, *ib.* 2696, 2698—Details explanatory of the circumstances under which witness was appointed to represent seventeen or eighteen trade societies on the present occasion; nature of the authority vested in the delegates who deputed him to represent them, *ib.* 2712-2729, 2750-2764, 2810, 2818-2840.

Recent issue of a circular to the fifty-two societies of Dublin upon the question of opposing the Bill; further time required for action on the part of those not represented by



*DUBLIN—continued.**7. Local Feeling upon the Subject of Total Closing, &c.—continued.*

by witness, *Daigman* 2715-2722, 2817, 2831-2847.—Circumstance of many of the trade societies holding their meetings at public-houses; advantage if this could be avoided, *ib.* 2729-2732, 2848-2856.—Representation by witness of skilled artisans rather than of labourers; doubt as to there being any labourers' association in Dublin, *ib.* 2752-2784.

Further examination as to the extent to which witness speaks for the Dublin trades generally, *Daigman* 2818-2847.—Consideration of the circumstance of the working men of Dublin not having held meetings against the Bill, if they really regard it as a coercion Bill; belief that they have never anticipated its becoming law, *ib.* 2911-2925.

Extensive experience of witness as to the artisan class of Dublin; he is master cooper in Guinness's brewery, and is president of the Coopers' Society, which comprises nearly 800 workmen, *Higgins* 2948-2954, 2992.—Representation by witness of the sober, industrious, and temperate class of artisans, whom he knows to be adverse to any alteration of the hours of sale on Sunday, *ib.* 2954, 2955, 2968, 2970-2976, 2996-2999.—Recent meeting of delegates from eighteen trades, by whom witness was deputed to appear in opposition to the Bill; want of time, but for which the trades generally would have opposed more actively, *ib.* 2957-2968, 2992-2994.—Absence of any action on the part of the trade societies in support of the Bill, *ib.* 2963-2965.—Belief that throughout Dublin an immense majority of the respectable working classes are opposed to Sunday closing, *ib.* 2996, 2997.

Delegation of witness by the Journeymen Butchers' Society, and by the Working Men's Club to appear as their representative upon the question of Sunday closing, *Brice* 3003-3013.—Willingness of witness' fellow workmen at Messrs. Hutton & Sons, coach builders, to have deputed him to represent them; contentment upon a telegram from two workmen, named John Gough and Robert Higgins, protesting on behalf of fifty-five others against witness' evidence, *ib.* 3013-3018, 3077.

Result of witness' long experience that the working men generally of Dublin would gladly support the Sunday Closing Bill, though some inconvenience would arise under it, *Brice* 3019-3024.—Respectable class of men comprised in various other trade societies as well as in the Journeymen Butchers' Society, *ib.* 3026.—Explanation as to witness having been selected to represent the society, though not a member of it, *ib.* 3047-3052, 3121-3126.

Employment of witness as a carpet fitter; he has mixed much with the working classes of Dublin, who are a most intelligent body, *Murray* 3161-3164.—Willingness of the working men to put up with any inconvenience arising from Sunday closing of the public-houses, *ib.* 3165-3168.

*8. Particulars in connection with Public Meetings upon the Question of Sunday Closing:*

Information as to the attendance at several public meetings in Dublin in favour of total closing on Sunday; maximum of 1,000 persons at some of these meetings, *Talbot* 356-362.—Comparatively small attendance at public meetings held in favour of Sunday closing, *ib.* 557-560, 723-733.—Reference to some meetings held by the Dublin Temperance Association as not relating exclusively to the Sunday closing question, *ib.* 693-697.

Further evidence relative to the attendance at different meetings in favour of total closing on Sunday; doubt as to there having been more than 1,000 persons at a certain meeting presided over by Mr. Sullivan, *Talbot* 756-754, 828-830, 933-938, 943-950.—Very poor attendance at one of the meetings called by persons adverse to Sunday closing, *ib.* 937-941.

Particulars relative to two public meetings at the Rotunda in 1875, at which witness presided; unanimous adoption of resolutions in favour of Sunday closing, *Mr. Alderson* 1453-1455, 1508-1512, 1547, 1548.—Attendance chiefly of the working classes at the foregoing meetings, *ib.* 1452, 1508, 1509.—Reference also to two meetings at the Mansion House, attended chiefly by employers of labour, in support of Sunday closing, *ib.* 1453, 1463.

Reference to a certain meeting adverse to the Bill attended by delegates from various trades unions; subsequent meeting of working men at the Rotunda, *Dwyer* 1774-1782.—Particulars in connection with the recent public meeting at the Rotunda, presided chiefly by witness; previous meetings of trade societies at which delegates were appointed to represent the trades in opposition to Sunday closing, *ib.* 1914-1938, 1958, 1959.—Issue of a limited number of tickets at the meeting for the protection of the platform; open admission otherwise, *ib.* 1933-1938, 1956, 1957.

Reference to a meeting at the Mansion House, at which witness submitted an amendment to a resolution which had been proposed in favour of the Sunday Closing Bill; belief

## DUBLIN—continued.

## 8. Particulars in connection with Public Meetings, &amp;c.—continued.

belief that those present were about equally divided on the subject, *Dwyer* 1930-1955—Reference also to a meeting at the Mechanics' Institute, presided over by Mr. Bruen; opinion that the question could not be fairly discussed at this meeting, *ib.* 1954-1955.

Further information relative to the meeting at the Rotunda, the exceedingly large and respectable attendance thereat, and the feeling displayed adverse to the Bill, notwithstanding the clerical influence imported into the meeting by means of handbills, *Dwyer*, 2019-2037—Very little disturbance at the meeting, *ib.* 2030-2032—Entire respectability of the delegates of the coopers, carpenters, and other trades present at the meeting, *ib.* 2033-2037.

Reference to a meeting at the Mansion House in 1875, followed by another meeting very numerous attended by the working classes, at which resolutions were passed by enormous majorities in favour of Sunday closing, *Russell* 2148-2150—Part taken by Mr. Keegan at the foregoing meetings, as a representative of working men, *ib.* 2150-2157—Several other meetings in the Phoenix Park and elsewhere, attended chiefly by the working classes, favourable to the closing of public-houses on Sundays, *ib.* 2160-2180—Limited sense in which Mr. Keegan can be said to have represented the working classes at the Mansion House meetings; number of trades represented by him, *ib.* 2190-2300.

Opposition and disturbance at the meetings in favour of Sunday closing; denied that these were attended chiefly by total abstainers, *Russell* 2303-2308—Election by the working men of Mr. Mooney, a total abstainer, as chairman of one of the meetings, *ib.* 2309-2313, 2350-2353—Explanation that the resolutions proposed at the working men's meetings were prepared by the men themselves and not by witnesses, *ib.* 2370-2381.

Free and open character of the public meetings held in favour of the Bill; violence displayed by some of those opposed to the measure, *Russell* 2401-2500—Impossibility of holding public meetings in favour of the Bill if the working men of Dublin were really opposed to it, *ib.* 2514-2527—Room for about 2,000 people in the Rotunda, *ib.* 2532—Room for not more than 1,000 people at the meeting at the Mechanics' Institute in support of the Bill, *ib.*—Free admission for all to the public meetings held by the association, without any issue of tickets for the protection of the platform, *ib.* 2583-2586.

Large number of trades' members at a recent meeting at the Rotunda adverse to the Bill; witness was struck with a stone at this meeting, *Daigian* 2710, 2711.

Fair and open manner in which the public meetings in favour of the Bill have been held; full opportunity given to opponents of the measure to propose resolutions adverse to the Bill, *Briscoe*, 3018-3040—Violence displayed at a recent meeting at the Rotunda towards the supporters of the Sunday closing Bill; numerous publicans at this meeting which could not be fairly called a meeting of working men, *ib.* 3072-3077.

Grounds for the conclusion that the recent meeting at the Rotunda adverse to the Bill was promoted and paid for by publicans, *Murray* 3172-3176, 3200-3215—Particulars as to witness having been violently assaulted at this meeting, merely because he was known to be a supporter of Sunday closing, *ib.* 3175, 3176, 3185-3188, 3201-3211—Several meetings attended by witness which were called by the supporters of the Bill; fair manner in which conducted, every facility having been given to those who wished to speak against the Bill, *ib.* 3177-3183, 3212-3214—Estimate of about 10,000 persons as present at a meeting in the Phoenix Park in favour of Sunday closing, *ib.* 3184, 3185.

## 9. Views of Publicans upon the Question at Issue:

Canvass of the licensed traders, including spirit grocers; total of 341 who voted for closing, and of 292 who voted against, *Russell* 2198-2205—Admission as to some of the licensed traders who voted for total closing not now supplying the working classes on Sunday, *ib.* 2318-2325—Total of nearly half the licensed traders who abstained from voting, *ib.* 2367—Full opportunity given to the licensed traders to record their opinions against the Bill, *ib.* 2487-2490.

## 10. Workmen's Club:

*Bona fide* character of the working men's club in York-street; no intoxicating drink sold, *Russell* 2438-2441, 2458-2463.

Special meeting of the workmen's club on the 14th March, when witness was delegated to give evidence for the club, *Briscoe* 3053-3057—Information relative to the constitution of the club; respectable character of the members, many of whom are testotillers, *ib.* 3058-3062—Statement as to there being now only one working men's club in Dublin, *ib.* 3127-3131.

Appearance

## DUBLIN—continued.

10. *Workmen's Club*—continued.

Appearance of witness before the Committee as delegate from the working men's club of Dublin, upon the question of Sunday closing, *Murray* 3158—He is secretary to the club, which comprises about 300 members, *ib.* 3159, 3160—Particulars as to the meeting of the club, at which witness was appointed to attend the present Committee, *ib.* 3189-3191, 3196, 3197.

11. *Proposed Shortening of the Hours of Sale on Sunday*:

Concurrence in the view that the hours of sale in Dublin should be curtailed, rather than that total closing should be adopted, *Talbot* 270, 477-498, 587-599, 703-710; *Carr* 1026, 1036-1038, 1109-1109; *O'Donel* 2064-2068, 2081-2088—Approval of the hours of opening being from two o'clock till seven or eight, *Talbot* 270, 311, 319, 856-869.

12. *Similar Hours desirable for the whole Metropolitan Police District*:

Advantage of the same law for the whole area comprised in the Metropolitan Police district, as to the hours of closing, *Talbot* 324-328, 817-823; *O'Donel* 2065.

13. *Expediency of the same Law for the City and the Outlying Districts*:

Decided objection to the exemption of Dublin from the Bill, whilst places outside are subjected to it, *Falkner* 1401, 1402; *Mr. Alderman M'Sweeney* 1555-1557.

*See also Adulteration. Ale and Porter. Association of the Law. Beer-houses. Castle, Mr. Clergy. Clubs. Coffee-houses. Country Districts. Crime. Excursionists. Guinness's Brewery. House Drinking. Houses of the Lower Classes. Irish Sunday Closing Association. Kingston. Magistrates. Petitions. Riots. Saturday. Spirit Grocers. Storage of Drink. Suburbs of Dublin. Women. Working Classes.*

*Daignan, John Thomas.* (Analysis of his Evidence.)—Is secretary to the Brassfounders' Society of Dublin; has been deputed to attend the Committee by a meeting which comprised delegates from eighteen of the trades of the city, 2687-2693—Belief that there are fifty-two trade societies in Dublin, and that about half of those petitioned last year against the Sunday Closing Bill, 2694-2697—Objection to Sunday closing by at least five-sixths of the trades represented by witnesses; a shortening of the hours would probably not be opposed, 2696-2698.

Evil of total closing as causing the beerhouses and illicit houses to be more largely frequented, 2699, 2700, 2735—Objection by tradesmen to whisky or other drink being stored in their houses, as their wives and children might be induced to partake of it, 2701, 2798, 2811-2813—Importance of more efficient action on the part of the police in suppressing illicit traffic on Sunday morning; great extent of this abuse, 2701, 2748, 2749—Great hardship if extensionists to Bury, Kingstown, and other suburban places, could not enter the public-houses for drink and refreshment, 2703-2704, 2744-2749.

Particulars as to the action taken by about half the trade societies of Dublin last year in petitioning against Sunday closing, 2705-2708—Large number of trades' members at a recent meeting at the Rotunda adverse to the Bill; witness was struck with a stone at this meeting, 2710, 2711.

Details explanatory of the circumstances under which witness was appointed to represent seventeen or eighteen trade societies on the present occasion; nature of the authority vested in the delegates who deputed him to represent them, 2719-2729, 2750-2784, 2810, 2818-2840—Recent issue of a circular to the fifty-two societies of Dublin upon the question of opposing the Bill; further time required for action on the part of those not represented by witness, 2715-2729, 2817, 2831-2847.

Circumstance of many of the trade societies holding their meetings at public-houses; advantage if this could be avoided, 2729-2733, 2848-2856—Large consumption of draught porter, as dinner beer, on Sunday; objection to this being stored on Saturday, or to the necessary use of bottled porter, 2736-2741, 2785-2791—Representation by witness of skilled artisans rather than of labourers; doubt as to there being any Labourers' Association in Dublin, 2768-2784.

Belief that no steps have been taken towards the formation of working men's clubs with a view to working men getting drink there on Sunday if the Bill be passed, 2792-2796—Absence of any co-operation on the part of the working classes with the Sunday Closing Association, 2797—Testimony of several Scotchmen, who are fellow-workmen of witness, to the injurious operation of Sunday closing in Glasgow, 2798-2802—Tendency of Sunday closing in Dublin to lead to card-playing and gambling in the houses of the people, 2803-2805—Probability of whisky, rather than beer, being stored for home consumption, 2811-2813.

Result of witness' experience that the cases of drunkenness which come before the magistrates on Monday mainly arise from drinking on Saturday night, 2814-2816—Probability of the trades approving of earlier closing on Saturday, 2817—Further examination as to the extent to which witness speaks for the Dublin trades generally, 198, 3 A 3, 2818.

*Duignan, John Thomas.* (Analysis of his Evidence.)—continued.

2818-2847.—Grounds for the conclusion that the habitual storing of drink for home consumption on Sunday would have a demoralising effect upon wives and children, 2857-2896. 2943-2947.

Approval of the public-houses being closed at nine on Saturday evening, but not earlier, 2896-2903.—Unduly large expenditure of wages in drink on Saturday evening, 2904-2910.—Consideration of the circumstance of the working men of Dublin not having held meetings against the Bill, if they really regard it as a Coercion Bill; belief that they have never anticipated its becoming law, 2911-2928.

With regard to the twenty-four or twenty-six petitions presented by trade societies in 1876, witness is not aware of complaints that the petitions had been signed by officials without due authority from the members generally, 2927-2942.

*Dwyer, Michael.* (Analysis of his Evidence.)—Experience of witness for nearly six years as secretary to the Licensed Grocers and Vintners' Association in Dublin, 1744-1748.—Strong objections of the members of the association to the Sunday Closing Bill, 1747.—Ablatation run to many individuals if the Bill be passed; this, however, is not the main objection to it, 1748. 1787-1789. 1811, 1812.—Effect of the Bill to greatly endanger the profitable position now held by licensed victuallers, and to jeopardise their vested interests, so that much demoralisation would be caused; many of them would be led or driven into evasion of the law, 1748-1758. 1789. 1790. 1813. 1814.

Extensive evasion now carried out by many spirit grocers; demoralising effect as regards the public, who are induced to habitually violate the law, 1753-1761. 1814.—Exceptional instances of publicans not opposed to Sunday closing, 1762-1764. 1790. 1791.—Large increase of illicit drinking, and of police complaints against public-houses, since the hours of sale were shortened in 1872; opinion that the more numerous complaints are not partly attributable to increased vigilance of the police, 1765-1771. 1815-1817.

Conclusion that the artisan class and the working classes generally are opposed to total closing; explanation therein, as to there being no widespread agitation against the present Bill, 1772-1788. 1822-1828.—Reference to a certain meeting adverse to the Bill, attended by delegates from various trades unions; subsequent meeting of working men at the Rotunda, 1779-1782.—Great reluctance of the licensed victuallers and of numerous other persons (including witnesses) to act in open hostility to the Bill, in so far as it partakes of an ecclesiastical or religious character, 1783-1788. 1799. 1800.

Exceedingly large demand of the artisan class for draught beer for home consumption during the first hour of opening on Sunday, 1798-1799. 1804.—Twofold cost of bottled-beer as compared with draught beer, so that the working classes could not afford to lay in a stock of the former for Sunday use, 1795-1797.—Difficulty in keeping whisky from Saturday to Sunday in the workmen's homes, 1798. 1810.—Very large increase in the consumption of ale and porter in Ireland, as compared with that of whisky, 1798. 1801. 1802.

Comment upon the strong language applied by advocates of Sunday closing to the opponents of the measure; temperate language on the other hand at the meeting of working men at the Rotunda adverse to the Bill, 1800. 2037.—Great inconvenience to the working classes if the houses were open only from two to three or four; comfortable accommodation in some public-houses as compared with the homes of the lower classes, 1803-1806.—Obstacle to keeping draught beer in good condition from Saturday to Sunday, 1807-1809.

Further statement as to the ruinous effect of the Bill upon some publicans, and as to the evasion and demoralisation almost sure to result, 1811-1821. 1829.—Conclusion that the Bill would not have the effect of repressing intemperance, 1829.—Way in which Sunday closing of the public-houses would operate to the advantage of those spirit-grocers who now close on Sunday, 1830-1833.—Considerable abuse on the part of spirit grocers and beer dealers under the Act of 1863; illicit sale also by many of these on Sunday, which would be increased if the public-houses were entirely closed, 1833-1836. 1999.—Great improvement going on in the public-house system of Dublin, which should not now be disturbed, 1833. 1859. 1999.

Exception taken to the mode in which signatures were obtained to petitions in favour of Sunday closing, 1837.—Individual injustices in an immense number of cases by entire closing on Sunday, 1838.—Less independent position of publicans in the country than in Dublin for opposing Sunday closing, 1833. 1840.—Belief as to beer being largely used for dinner on Sunday by the people in country towns, 1841.

Explanation to the effect that it would be exceedingly difficult to carry out a law for closing much earlier on Saturday evening, and that much public inconvenience would result, but that the publicans would be prepared to make any reasonable sacrifice in the matter, 1841-1861.—Great difference between earlier closing on Saturday and total closing on Sunday, there being no excessive drinking on Sunday as on Saturday evening, 1848-1850.—Objection to the houses for drink or refreshment being open later

## Report, 1877—continued.

*Dwyer, Michael.* (Analysis of his Evidence)—continued.

later than eleven on Saturday, though inconvenience may be caused in exceptional cases, 1886-1874.

Explanation as to the association represented by witness comprising only between 300 and 400 out of about 700 publicans and hotel-keepers in Dublin; insignificance of those who violate the law, 1876-1880—Information in regard to the subscriptions received by the association; prejudicial effect upon the association if it were to interfere in public meetings upon the present question, 1887-1910—Reference to a certain meeting in the Phoenix Park, very badly attended, adverse to the Bill, as not having been in any way promoted by the association, 1911-1913.

Particulars in connection with the recent public meeting at the Rotunda, promoted chiefly by witnesses; previous meetings of trade societies, at which delegates were appointed to represent the trades in opposition to Sunday closing, 1914-1938. 1932, 1953—Issue of a limited number of tickets at this meeting for the protection of the platform; open admission otherwise, 1933-1938. 2026, 2027—Reference to a meeting at the Mansion House, at which witness submitted an amendment to a resolution which had been proposed in favour of the Sunday Closing Bill; believe that those present were about equally divided on the subject, 1939-1950—Reference also to a meeting at the Mechanics' Institute, presided over by Mr. Bruen; opinion that the question could not be fairly discussed at this meeting, 1954-1956.

Examination upon the question whether about 2,000 assistants are not now employed in the public-houses, &c., in Dublin, on Sunday, for whom total closing on that day would be a great boon as giving them one day of rest in the week, 1957-1980—Evidence in support of the conclusion that the licensed victuallers of Dublin have a grievance against the spirit grocers, and that the latter extensively violate the law, and should not receive licenses more freely, 1981-2011—Explanation of the circumstances under which on witness's opposition a license has been refused to Mr. Castle, though a highly respectable spirit grocer, 1999-2011. 2040-2042.

Belief that the working classes of Dublin are not by a considerable majority in favour of Sunday closing; even if this were so, witness submits that the Bill, with the penalties involved, is highly inexpedient, 2012-2018—Comment upon the liability to imprisonment for Sunday drinking if the Bill be passed, 2014-2017.

Further information relative to the meeting at the Rotunda, the exceedingly large and respectable attendance thereat, and the feeling displayed adverse to the Bill, notwithstanding the clerical influence imported into the meeting by means of handbills, &c., 2019-2037—Very little disturbance at the meeting, 2030-2032—Entire respectability of the delegates of the coopers, carpenters, and other trades present at the meeting, 2033-2037.

Statement as regards the apparently large amount of crime in Dublin, that the great majority of the convictions are for petty larceny and for assaults on the police; large diminution in the latter, 2037—Recent meeting of the Kingstown Town Commissioners, at which it was resolved by a considerable majority to petition Parliament against the Bill, 2038, 2039.

## E.

*East Lothian.* Riotous and drunken scenes formerly in East Lothian on Sunday when the public-houses were open under the Home Drumsmond Act; great improvements since the Forbes Mackenzie Act, List 3727-3731.

## EDINBURGH (CITY AND COUNTY):

1. *Satisfactory Operation of the Sunday Closing of Public-houses in Edinburgh under the Forbes Mackenzie Act.*
2. *Population and Police Force of the City.*
3. *Amount of Drunkenness in different Years, on Week Days and on Sundays.*
4. *Illicit Drinking in Shelters, &c.; Action of the Police in the matter.*
5. *Private or House Drinking on Sunday.*
6. *Supplies to Eccursionists or Travellers at Hotels in the City.*
7. *Eccursionists to Portobello, Musselburgh, Bursledale, Roslyn, &c.*
8. *Country Districts.*

1. *Satisfactory Operation of the Sunday Closing of Public-houses in Edinburgh under the Forbes Mackenzie Act:*

Restrictions first imposed by local Act in 1848 as to the hours of opening of public-houses in Edinburgh on Sunday, the Forbes Mackenzie Act having come into operation in 1854, *Lists* 3510, 3511. 3548—Much better attendance of the working classes at their places of employ on Monday morning since the public-houses have been entirely closed on Sunday, &c. 3546, 3547—Very small police force required for Sunday duty

*EDINBURGH (CITY AND COUNTY)—continued.*

1. *Satisfactory Operation of the Sunday Closing of Public-houses, &c.—continued.*  
in Edinburgh now that the public-houses are entirely closed, *Linton* 3549-3552. 3557-3560. 3561.

Entire absence of disturbance when the houses were closed on Sunday, *Linton* 3571—Feeling of the publicans as to the great value of Sunday closing to themselves, *ib.*—Decided approval of the Forbes Mackenzie Act by the people of Edinburgh generally; great improvement thereby in the social and moral condition of the city, *ib.* 3572, 3573. 3568, 3569. 3580-3582—Circumstance of two-thirds of the publicans having closed their houses voluntarily previously to 1854, *ib.* 3574, 3575.

2. *Population and Police Force of the City :*

Total of about 211,000 as the population of the city, the area being about seven and a half square miles, and the effective police force numbering 363 men, *Linton* 3512-3515.

3. *Amount of Drunkenness in different Years, on Week Days and on Sundays :*

Explanations in detail in connection with statistics of drunkenness in Edinburgh in septennial periods since 1847; particulars also as to the daily and Sunday average of apprehensions in different years before and since Sunday closing of the public-houses, *Linton* 3524-3533—Large diminution in the average apprehensions for drunkenness between eight a.m. on Sunday and eight a.m. on Monday subsequently to the operation of the Forbes Mackenzie Act, *ib.* 3537-3540. 3715, 3719—Large proportion of arrests before eight a.m. on Sunday, which arise from Saturday night drinking, or to shebeens drinking after midnight on Saturday, *ib.* 3534-3536. 3720-3724.

Considerable diminution in the number of arrests on Monday since 1853, owing to the closing of public-houses on Sunday; decreased arrests also on Saturdays, *Linton* 3541-3545—Large increase since 1855 in the annual consumption of spirits per head in Scotland, and probably in Edinburgh, *ib.* 3576-3582—Conclusion, however, that the increased drinking is on week days, and not on Sunday; statistics bearing as to the arrests of persons incapable drunk or disorderly at different periods, *ib.* 3583-3589.

Explanation as to there having been a larger number of arrests for drunkenness between midnight on Saturday and midnight on Sunday in 1859 than in 1853; *Linton* 3589-3593. 3718-3724—Further statement as to the large decrease in the daily average arrests of drunken persons on Sunday in 1876 as compared with 1853; that is, of arrests for various offences, *ib.* 3595-3648—Belief as to any increased consumption of spirits being confined to the disorderly classes, *ib.* 3652-3653.

Great diminution since 1854 in the number of arrests on Sunday after 8 a.m. till 8 p.m. on Monday morning; numerous arrests before eight on Sunday morning owing to Saturday night's drinking, *Linton* 3554-3560. 3718-3724.

Paper submitted by Mr. Linton containing statistics as to drunkenness, illicit sale of liquors, &c., in different years since 1853, *App.* 344.

4. *Illicit Drinking in Shebeens, &c. ; Action of the Police in the matter :*

Details relative to the number of shebeens and houses of ill-fame in Edinburgh in different years; important reduction through the increased powers given to the police under the Act of 1859, *Linton* 3548-3553—Explanation as to the shebeens being in close proximity to the public-houses, both abounding chiefly in low neighbourhoods, *ib.* 3553-3557—Way in which convictions are obtained against shebeens; employment of the police in plain clothes in order to procure evidence, *ib.* 3558, 3559—Very rare instances of Sunday sale by grocers, *ib.* 3560—Considerable trouble caused by the shebeens, chiefly on week days, *ib.* 3561, 3562.

Statement showing that except at very early hours on Sunday morning the shebeens and places of ill-fame are not much resorted to by drinkers, owing to the closing of the public-houses, *Linton* 3563-3568—Immense number of persons proved to have entered the public-houses on a Sunday before the Forbes Mackenzie Act, as compared with the very small number who now procure drink in shebeens or in hotels, *ib.* 3567-3570.

Large reduction in the number of convictions for illicit sale on week days and on Sunday, in the seven years since 1859, as compared with the previous seven years, *Linton* 3570—Employment of police in plain clothes, solely in order to facilitate their entrance to suspected houses and to obtain witnesses, *ib.* 3563-3568—Effective action of the police since the Act of 1859 in the suppression of shebeens, this however being a work of much difficulty; large decrease of these places since 1859, *ib.* 3561-3564.

Conclusion as to shebeens being largely used by persons who have been using public-houses till the hour of closing, *Linton* 3565. 3722-3724—Larger police powers in Glasgow than in Edinburgh for the suppression of shebeens; amended regulations desirable as regards the latter city, *ib.* 3570-3573—System of frequently changing the stations of men in plain clothes, *ib.* 3574, 3575.

5. *Private*

## Report, 1877—continued.

## EDINBURGH (CITY AND COUNTY)—continued.

## a. Private or Home Drinking on Sunday:

Belief that the closing of the public-houses has not led to increase of drinking in private houses or in places of illicit sale, *Linton* 3589-3596, 3608, 3667—Conclusion further expressed as to there being less private drinking on Sunday since the Forbes Mackenzie Act, *ib.* 3705-3709.

## b. Supplies to Excursionists or Travellers at Hotels in the City:

Supply of refreshments to 7500 reputed travellers at the forty-seven hotels in Edinburgh on Sunday, the 1st April 1877, *Linton* 3516, 3517—Class of persons by whom the hotels are used on Sunday; facility as to their use by working men if travellers or excursionists from the country, *ib.* 3691-3704.

## c. Excursionists to Portobello, Musselburgh, Burntisland, Roslyn, &amp;c.:

Large passenger traffic from Edinburgh to Portobello and Musselburgh on Sundays until hotel licenses were no longer granted on account of the excessive drinking which took place, *Linton* 3518-3523—Satisfaction of the respectable people of these places with the closing of the hotels on Sunday, *ib.* 3522, 3637-3640—Opinion that persons going for such short distances as from Edinburgh to Portobello or Musselburgh should not be deemed travellers nor entitled to refreshment, *ib.* 3523-3622.

Further statement as to the excessive drinking formerly at Portobello and Musselburgh on Sunday, and as to the great improvement since the magistrates have discontinued the hotel licenses, *Linton* 3600-3606, 3622, 3637-3640—Considerable number of excursionists by steamer to Burntisland on Sunday; there is much drinking on board which the authorities have not yet taken steps to prevent, *ib.* 3607-3616—Resort also of Sunday excursionists to Dalkeith, where there are hotels open, *ib.* 3617-3621.

Particulars relative to the operation of hotel certificates in Musselburgh and Portobello under the Forbes Mackenzie Act and the Act of 1862; excessive amount of drinking, and of disorder on Sunday, *List* 3731-3738—Complaints on the part of the respectable community which caused the magistrates to revoke the hotel licenses in Portobello and Musselburgh; excellent results thereof, *ib.* 3739-3744, 3761-3763.

Increased resort of persons from Edinburgh to Burntisland, and increased drinking at the latter place since the hotels in Portobello and Musselburgh have been closed on Sundays, *List* 3745-3749, 3779-3783—Strict manner in which the hotels at Dalkeith, Roslyn, and Penicuik are conducted, so that no abuse arises as regards Sunday drinking, *ib.* 3750-3752, 3797, 3798—Belief as to licenses being no longer granted for the sale of spirits on board some of the Sunday steamers from Leith; the boats from Granton to Burntisland never had such licenses, *ib.* 3759-3789.

Large number of excursionists from Edinburgh to Roslyn and Hawthorneden on Sunday; explanation hereon as to the hotel at Roslyn not being opened to these, whilst it is opened to some of those who come from a distance to church, *List* 3772-3774, 3778, 3815-3848—Circumstance of the grounds at Hawthorneden being closed on Sunday, *ib.* 3774, 3849-3851, 3843-3845, 3857-3860.

## d. Country Districts:

Population of different places in Edinburgh county, and number of public-houses, &c. in each place, *List* 3753—Doubt as to there being much drinking on Sunday in private houses or in shebeens in the country districts; effectual suppression of shebeens under the Public-house Amendment Act, *ib.* 3754-3760, 3799.

*Education.* Failure of the increased public grants for education to check the growing evil of intemperance, *Falkner* 1181.

*Ellard, John.* (Analysis of his Evidence.)—Long experience of witness as town clerk of Limeick, 5936-5938—He does not recollect the corporation having taken any action on the question of Sunday closing; examination hereon showing that they have petitioned on the subject on two occasions, 5939, 5981-5983, 6029-6065—Disapproval by witness of total closing on Sunday, excess of drinking on that day being exceptional, and the public-houses offering some comfort to the lower classes which they cannot get in their own wretched and fireless homes, 5940-5942, 6026-6049.

Denial that Limeick is open to the stigma of drunkenness; very peaceful and orderly state of the city on Sunday, save in the case of habitual drunkards, who are very few in proportion to the population, 5944-5948, 5953, 5972-5980, 5986, 6030-6033—Total of not more than five or six shebeens, if so many, 5945—Large number of excursionists into Limeick on Sunday, whilst there are not many outwards, 5947, 5948.

Refusal of witness to attend some meetings on the subject of Sunday closing, he having looked upon the movement as a Sabbatarian one, 5949, 5950—Belief that the people have only lately realised the contingency of the proposed legislation, and that they look upon total closing as a great hardship, 5950, 5961—Equal activity of the police on Sunday as on other days in arresting for drunkenness, 5952, 5983.

*Ellard, John.* (Analysis of his Evidence)—continued.

Examination as to the grounds for witness' conclusion that the Sunday closing movement was a Sabbatarian one; statement more especially as to restriction not having been proposed on the several holidays when drinking to excess is much greater than on Sundays, 5956-5971, 5985-5993, 6012-6015, 6075-6088—Greater efficacy of voluntary closing, as brought about by the Roman Catholic bishops and clergy in certain districts, than of compulsory closing under Act of Parliament, 5994-5998, 6066-6071—Excellent effect of Father Matthew's temperance movement, and of similar movements subsequently in Limerick and elsewhere, 5998-6001, 6018-6020, 6029.

Expediency of restriction, applying in the first place to Saturday, when the houses should be closed at seven or eight in the evening, 6002, 6003, 6028—Improvement if the houses did not open till ten o'clock on all week days, 6003, 6003—Trivial effect of Sunday drinking as compared with the excess during the rest of the week, 6004.

Steps being taken to provide a park for the people of Limerick; liberal action of Mr. Spaight and other citizens in the matter, 6005, 6006, 6034-6037, 6072-6074—Advantage if bands might play in the park on Sunday; restriction now in force, 6005-6010, 6074—Statement that no voting paper was left at witness' house with reference to the Sunday closing question, 6011, 6050-6056.

Obstacle to any reclamation of habitual drunkards by Act of Parliament; these will obtain drink in spite of restrictions, 6016, 6017, 6021, 6022—Less temptation to drink on Sunday if the houses were closed at five or six o'clock, 6025-6027—Less drunkenness on Sunday than on any other day of the week; shorter hours of sale on Sunday, whilst the opportunities for drinking are greater than on working days, 6029-6033, 6037, 6058, 6059.

*England.* Examination as to the result of a certain canvass in Liverpool and elsewhere in England upon the question of Sunday closing; belief that in the large English towns generally the working classes would be in favour of total closing, *Russell* 2617-2623.

Relative amount of drunkenness in large towns in Scotland, England, and Ireland, witness submitting that Sunday closing is required in Dublin but not in English towns, *List* 3803-3814.

*Excursionists.* Extensive resort of excursionists to public-houses in the suburbs of Dublin on Sunday; more respectable character of this class than of the class using the public-houses in the city, *Talbot* 266-269—Statement as to the great inconvenience to excursionists from Dublin to Kingstown, Bray, and other places, if the public-houses in the suburban districts were closed on Sunday; great difference between Dublin and country towns in this respect, *ib.* 327-337, 550-555, 573-582, 615-619, 655-662—Little if any inconvenience to excursionists in such towns as Mullingar and Castlebar, as compared with Dublin, by Sunday closing, *ib.* 414-427, 573-580.

Check to excursions from Dublin if there were total closing on Sunday, *Talbot* 771-773—Expectation that the public-houses in the townships would be constantly opened during Sunday in order to meet the applications of excursionists; great inconvenience otherwise, *ib.* 816-819, 824, 825, 955—Prospect in course of time of gradually leading on the people to total closing, though provision must always be made for the excursionist class, *ib.* 969, 970.

Relative amount of excursion traffic in the case of Dublin, and of Glasgow and Edinburgh, and relative feeling of the two peoples upon the question of Sunday observance, *Russell* 2572-2583.

Great hardship if excursionists to Bray, Kingstown, and other suburban places could not enter the public-houses for drink and refreshment, *Daiguan* 2702-2704, 2744-2749—Limited extent to which working men go on excursions out of Dublin on Sunday; beneficial resort of large numbers to the Botanic Gardens, *Brice* 3026, 3027-3100.

Much inconvenience would be caused under the Bill to excursionists unless these could be privileged under the *bona fide* traveller clause, *Spaight* 5664, 5668.

See also *Belfast*, 6. *Cork*, 4. *Edinburgh*, 6, 7. *Glasgow*, 7, 8. *Limerick*, 5. *Travellers*. *Waterford*, 2.



## F.

*Falkiner, F. R.* (Analysis of his Evidence.)—Has been Recorder of Dublin since July 1876, and in that capacity is the sole licensing authority within the municipal boundary; has also appellate jurisdiction as regards the renewal or refusal of licenses by the magistrates over the metropolitan police area, 1178-1180, 1214, 1225.

Weight attached to the expression of public opinion in Ireland, and to the decision of the Legislature, as arguments in support of the present Bill, witness seeing no sufficient reason for differential legislation on the subject as regards Dublin, 1178, 1183, 1231-1234.—Large criminal jurisdiction exercised by witness so that he has become well conversant with the habits and social condition of the lower classes of Dublin, 1181.—Belief that intemperance is a national vice in Ireland, &c.—Great aggravation of the vice in the city of Dublin, where it is the cause, directly and indirectly, of an immense amount of crime, &c.—Comment upon the fact of there being fifty per cent. more crime or indictable offences in Dublin than in all the rest of Ireland, &c.

Great amount of poverty in Dublin, as well as of crime, due to the intemperance of the working classes, 1181.—Failure of the increased public grants for education to check the growing evil &c.—Conclusion, that in the best interests of the people, the interference of the Legislature in the shape of closing the public-houses on Sunday is highly expedient; witness has adopted this opinion after much hesitation, and admits that the question rests largely on speculation, 1181, 1182, 1233, 1234.

Extensive prevalence of illicit trading on Sunday both in licensed and unlicensed houses; several instances in illustration of the great abuse in this respect, 1183-1187.—Large increase since 1869 in the convictions for illicit sales on Sunday, 1184.—Supremacy on the part of the police in past years in reference to illicit traffic; much greater activity of late owing to the growing public opinion in favour of active interference and to other causes, 1184, 1187.—Prospect of a large decrease of illicit traffic on Sunday if the police be properly supported as the necessary steps for its suppression, 1187, 1194.

Expediency of the magistrates dealing severely with cases in which watchmen are employed by houses carrying on illicit traffic, 1187.—Explanation that the employment of policemen in private clothes in order to detect illicit sales is not discontinued by the authorities, &c.—Number of arrests in Dublin for drunkenness on Sundays in each of the years 1869-76; decrease since the former year, though there has been no increase since 1873; 1188-1192, 1220-1222.

Consideration of the difficulty involved in total closing on Sunday as interfering with the convenience of those who use public-houses on that day without abusing them, 1193-1202.—Great value attached to different movements on foot for the healthful recreation and social elevation of the people on Sunday as a means of warning them from excessive indulgence in drink, 1195, 1196, 1199-1209, 1218, 1219.

Neglected, squalid, and wretched condition of the houses of the lower classes in Dublin, owing largely to excessive expenditure in drink on Sunday and other days; beneficial influences by which the former evil may be corrected, 1199-1210, 1218, 1219.—Reference to the Sunday traffic as the vortex of wages, the people having no other amusement than to frequent the public-houses, 1199, 1206-1214.—Importance of a uniform law as to Sunday closing in Ireland, 1201, 1251-1256.

Expected compliance of the people of Dublin with the proposed law if it be properly supported by public opinion and properly administered by the authorities, 1211.—Anticipated attempts to increase illicit sales, but not successfully if the police be duly supported in taking energetic action, 1212-1217.—Improvement if the police were more frequently to obtain warrants in the case of suspected houses, 1215, 1216.—Large diminution of drinking, on the whole, if the Bill be passed, 1217.

Further explanation that witness was at one time adverse to Sunday closing, but has been converted to the measure by his experience as Recorder of Dublin, 1223-1225.—Wise policy in protecting the people against their inclination to drink, even though interfering to some extent with the public convenience, 1227-1229.—Weight attached to the opinion of heads of families in favour of Sunday closing, 1228-1237.—Several means of recreation now open to the people of Dublin, though additional amusements of a salutary character are greatly needed, 1230-1234.

Greater need for Sunday closing in Dublin than in other towns and in rural places; reference hereto to the excessive proportion of crime in Dublin, 1235-1239.—Means of largely obviating inconvenience on Sunday by staying on Saturday what is required for the next day, 1240.—Expediency of the outlying townships round Dublin being included in the Bill, save for the difficulty as regards excursionists, 1241.—Great abuse apprehended in the exemption of *bona fide* travellers, so called, unless the exemption be very strictly guarded, 1242-1243.

Advantage, doubtless, of earlier closing on Saturday night, coupled with lessened hours of opening on Sunday, though witness would prefer total closing on Sunday, 1246-1253.—Check to crime on Saturday and to drunkenness on Sunday by earlier closing on

*Falkiner, F. R. (Analysis of his Evidence)—continued.*

the former day, 1250-1253.—Further conclusion as to its being feasible by more efficient action of the police and more strict punishment by the magistrates to suppress illicit traffic on Sunday, even if the licensed houses be closed by law, 1253. 1261-1263. 1270-1272.

Expediency, on the whole, of a repressive law as regards drinking, rather than of relying upon gradual improvement in the habits of the people by means of better education, improved sanitary arrangements, &c., 1250. 1260. 1264-1269.—Authority exercised by witness, in certain cases of transfer of public-houses, in granting only six-day licenses, there being very ample accommodation in the locality for Sunday traffic; pending appeal in these cases, 1273-1276.

Special importance attached by witness to an improvement of the houses of the working classes, 1277. 1317-1320.—Examination as to the weight to be attached to a certain petition signed by 12,000 of the working men of Dublin against the present Bill, 1278-1280.—Success of one of the coffee-houses in Dublin, so that it is being extended; debt, however, on capital account, 1290. 1292-1295.—Approval of an extension of working men's clubs, subject to restrictions carefully considered, 1290. 1291. 1297-1300.—Want of facilities in Dublin for the recreation of the children of the lower classes, 1305.

Excessive drinking when men go to public-houses on Sunday as compared with the moderate drinking in their own houses, 1307.—Grounds for the conclusion that the great mass of the Roman Catholic clergy are in favor of Sunday closing, 1308-1316. 1377-1387.—Much greater overcrowding of the working classes in Dublin, and fewer facilities for recreation, than in provincial towns, 1317-1323.—Expediency of the townships around Dublin, as well as the city itself, coming under the Bill, 1326-1336.—Further reference to the large proportion of cases in Dublin, much of it being due to drink, 1335.

Admission as to there being fewer arrests and less drunkenness on Sunday than on other days, witness, however, advocating Sunday closing as an important means towards moral improvement, 1336-1342. 1353-1355.—Concurrence in the view that much of the drinking on Sunday takes place in unlicensed houses and at forbidden hours of sale, it being highly expedient to remedy this abuse irrespective of the present Bill, 1343-1352.

More strict exercise of the powers of the police for the suppression of illicit traffic on Sunday since public opinion on the subject has been aroused, 1345. 1350. 1356-1361. 1365.—Importance of the police acting as a detective force in order to effectually cope with illicit traffic; doubt as to much increase of force being necessary if the Bill be passed, 1356-1365.—Numerous cases of half-drunkenness without arrest, 1366. 1367.—Importance, if Sunday closing be carried out, of facilities for recreation and social enjoyment being at the same time placed within reach of the drinking classes, 1368-1372.

Further statement as to intoxication being a national vice of Ireland, which must be eradicated before the condition of the lower classes can be properly ameliorated, 1373-1376.—Examination as to the action of the Irish Sunday Closing Association, and as to the Association having obtained the direct support of only a minority of the Roman Catholic clergy, 1377-1387.

Witness further submits that a large portion of the crime of Dublin is due to intemperance, and that there should not be differential legislation as regards Dublin, 1398-1400. 1431.—Mischievous effect upon the city if the houses are to continue open there on Sunday, and if the houses in the suburban districts are to be closed, 1401. 1403.—Insufficiency of increased facilities of national amusement on Sunday unless the public-houses be at the same time closed, 1403-1406.

Opportunity of a large number of moderate drinkers to keep drink in their houses on Sunday, 1406.—Value of the Bill in removing the temptation to drink in the case of young persons, 1407. 1408. 1430.—Small percentage of excessive drinkers on Sunday who are arrested, 1408.—Fallacy in supposing that the police would be looked upon as common informers if they were to dress in private clothes in order to detect illicit sale on Sunday, 1409-1411.

Care always taken by the police to prevent licenses being granted to improper persons, 1412.—Sufficiency generally of the powers of the police by means of warrant, &c., 1413.—Importance of putting down the watching system in connection with illicit sale, 1414.—Inexpediency of applying the principle of total closing to week-days as well as Sunday, 1415-1418.

Way in which a sober Sunday would operate beneficially as regards Saturday evening, 1419.—Careful restrictions necessary as regards *bona fide* travellers if total closing be carried out; advantage if these could procure drink only at hotels, as in Scotland, 1420-1423.—Means of preventing evasion by the establishment of drinking clubs for the lower classes, 1424-1427.—Contemplated increase of coffee-houses, &c., in the interval before the enforcement of Sunday closing of public-houses, 1428.

Want of earnest efforts on the part of the community generally, as well as the police, in order to effectually suppress illicit drinking on Sunday, 1429.—Great improvement if

*Falkner, F. R.* (Analysis of his Evidence)—continued.

if the hours of sale were gradually shortened in view of total closing within a few years; witness, however, would prefer the adoption of the present Bill, 1432-1435.

Anomaly in public-houses being open on Sunday whilst trade generally is prohibited on that day, 1436-1438. 1445-1448—Question considered as to the fictitious character of some of the signatures to a petition against the Bill, purporting to be signed by 12,000 working men of Dublin, 1439-1441. 1443-1445—Very large class of persons who do not care about the public-houses being open on Sunday, but who partake of drink because of its being within easy reach, 1442.

*Ferns, Diocesan.* Circumstances of total closing on Sunday being voluntarily observed in the diocese of Ferns under the influence of the Bishop of Ferns; facilities of the people for keeping whisky in their houses, *Talbot* 831-835. 858.

*Fisher, Joseph.* (Analysis of his Evidence).—Is a town councillor of Waterford; is connected with the press, 6575, 6576—Would approve of the total closing of public-houses on Sunday but that he fears an increase of drunkenness thereby, 6578-6580—Submits statistics in support of the conclusion that repressive legislation hitherto, by shortening the hours of sale, has been followed in Waterford, and in Ireland generally, by a large increase in the consumption of drink, and in the amount of intemperance, 6582-6583. 6621-6624—Is apprehensive lest Sunday closing would convert Monday into an idle and drinking day on the part of the working classes, 6581.

Laborious work and large wages of the grain-porters at Waterford; considerable expenditure by these in drink, 6581. 6596-6599—Tendency to increased drunkenness if the same amount of money is spent upon drink in a short time, instead of being spread over several hours, 6581. 6599. 6685, 6686—Increase by fifty per cent. in the consumption of spirits in Ireland between 1854 and 1876; 6584, 6585. 6621—Varying practice of different magistrates in Waterford as to imprisoning for drunkenness, 6586—Belief that increased stringency does no good, and that repression is pushed to its utmost limit, 6587, 6588—Decreased number of seven-day licenses in Waterford, without the issue of six-day licenses causing any decrease of drunkenness, 6589-6592.

Doubt as to an increase of public-houses leading to an increase of drunkenness, 6592—Less intemperance, comparatively, in Waterford than in Dublin; sobriety of the former city on Sunday, 6593-6596—Impression that the feeling of the people of Waterford is adverse to Sunday closing; grounds for this opinion, 6600-6610. 6673-6675—Statement as to the feeling and action of the town council on the subject, 6611-6615.

Apprehension lest partial closing or shortening of the hours on Sunday would only increase drunkenness; witness would leave the hours alone, as an alteration would probably make matters worse, 6616-6618. 6630-6632. 6685-6687—Circumstance of the amount of drunkenness in Ireland not having increased in proportion to the increased consumption of whisky, 6625-6629. 6641—Steps taken by witness towards providing a public reading-room and library in Waterford, 6633-6641—Approval of licenses being granted, under certain limitations, to all respectable applicants; effect thereof in driving shebeen-keepers and others out of the trade, 6642, 6643. 6654.

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Increase or decrease of arrests for drunkenness in Ireland according to the action of the heads of the constabulary, 6661—Numerous arrests in Waterford on the ground merely of those arrested being incapable to take care of themselves, 6668—Increasing consumption of whisky by the middle classes, 6669—Great inconvenience to a large class of persons in Waterford if unable to procure drink, in moderation, at public-houses on Sunday, 6666.

Illustration at Christmas 1875 and Christmas 1876, of the relative effect of the houses being open and being closed, voluntarily; much fewer arrests in 1875 after two days when the houses were open, than in 1876 after two days' voluntary closing, 6668-6669. 6690-6695—Belief that no eating-houses in the city are open on Sunday, 6670-6672—Practice of the working classes to keep a portion of their wages for drink; witness submitting that if the houses were closed on Sunday the present number of cases of drunkenness on that day would be added to the number on Monday, 6676-6684.

Statement as to witness having written in the local press against total closing as only likely to make matters worse, 6688-6691—Occasional absence of men from work on Monday morning; doubt as to this being the result of Sunday drinking, 6692, 6693.

*Forbes Macdonald's Act.* See Edinburgh. Glasgow. Scotland.

*Foreign Wine Licences (Ireland).* There are 155 wine dealers holding foreign wine licences for consumption off the premises, there being 987 foreign wine retail licences, *Reed* 197, 198.

*Freeman, Mr. Alderman St. George.* (Analysis of his Evidence.)—Long connection of witness with Waterford, of which city he is a magistrate and has been mayor, 6213-6218 —Excellent opportunities of witness for arriving at the conclusion that the great majority of all classes in the city are in favour of total closing of the public-houses on Sunday, 6218-6220—Witness is strongly in favour of Sunday closing, 6220 —Unanimity on the subject at several public meetings held in the years 1873-76; 6220, 6224.

Use of the public-houses on Sunday evening, chiefly by young men and young women, and by habitual drunkards, rather than by the respectable working classes; mischievous results in the former case, 6221, 6222, 6226-6229, 6230, 6272, 6416, 6417—Objection by habitual drunkards to Sunday closing; these, however, being few in Waterford, 6223 —Belief that seven-tenths of the working people would like to see the houses entirely closed, 6224—Reference to a plebiscite taken in February 1876, when an immense majority voted for total closing, 6224-6228—Circumstance of sixty publicans having voted for total closing, and only thirty-six against, 6224—Probability of there being some illicit traffic in drink on Sunday, though witness cannot speak to the amount, 6230, 6231.

Feeling of the Protestant and Roman Catholic clergy, without exception, in favour of Sunday closing, 6232, 6233—Conclusion that there need not be the slightest fear of any rioting as a consequence of total closing, 6234, 6400, 6401—Effect of opening for only two hours in the afternoon to increase, rather than diminish, the amount of drunkenness; expectation that people from the country would largely frequent the houses in such cases and would get drunk, 6234, 6235, 6247-6249, 6304-6310—Excellent effect of the shortening of the hours of sale on Sunday night under the Act of 1872; much better result if they were closed altogether, 6236-6246—Immense advantage of earlier closing on Saturday, 6237, 6379.

Explanation of the action of the Town Council of Waterford upon the question of Sunday closing; exceptional circumstances under which a petition in favour of total closing was not adopted at a meeting of the council, 6251-6259, 6326-6327—Statement as to the question at issue not having caused much excitement or interest at the time of the last Parliamentary election, 6260-6266—Circumstance of a memorial in favour of Sunday closing having been signed since the election by more than 700 electors, 6261, 6262.

Very large proportion of the householders and room-keepers in the city who voted in favour of total closing, 6267-6271, 6378—Expediency of a repressive law in order to check excess of drinking on Sunday by young men and women, 6272, 6273—Total number of licensed houses in Waterford in proportion to the number of publicans who have declared in favour of total closing, 6274-6277.

Examination with further reference to the public meetings on the question of Sunday closing, and the number and class of persons who attended; statement as to the meetings having been called by the supporters of the movement, 6279-6288—Further statement as to the better class of working men not going much to the public-houses on Sunday night, 6299.

Few arrests for drunkenness on Sunday as compared with the population; conclusion as to the people being decidedly temperate, 6300-6303—Probability of many of those getting drunk who would enter the public-houses, if open, for a few hours in the afternoon, 6304-6310, 6329, 6331—Argument in support of the principle of repressive laws for control of the few, although the great majority may use public-houses on Sunday without abusing them, 6310-6319, 6410—Dissent from a statement that a great deal of illicit drinking takes place when the houses are closed, 6322, 6343.

Examination as to the circumstances under which the memorial before referred to was sent round for the signature of electors; doubt as to its having emanated from a public meeting, 6344-6350—Use of public-houses by the memorialists generally, more or less, about half who signed being working men, 6351-6357—Considerable number of people who come from the Wexford diocese, where the houses are closed voluntarily on Sunday, in order to obtain drink at Passage and other places, 6358-6363, 6391.

Belief that not less than eighty per cent. of those arrested for drunkenness are convicted, 6364-6366—Difficulty in explaining the large number of persons proceeded against at Waterford as compared with the number in English towns, 6367-6370—Practice of the Waterford people not to drink draught ale or porter with their meals; facility in buying in bottled beer for Sunday use, 6370-6374, 6406-6409—Instance of excessive beer-drinking in public-houses, 6374-6376.

Very little drunkenness in Waterford on Sunday, except late in the evening, 6377, 6378—Expediency of total closing on Sunday rather than of earlier closing on Saturday,

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*Freeman, Mr. Alderman St. George.* (Analysis of his Evidence.)—continued.

day, 6379, 6380.—Reasons for the much fewer arrests on Sunday than on Saturday, Monday, or Tuesday; beneficial influence of the Roman Catholic clergy as regards Sunday observance, 6381-6384.—Witness further objects strongly to partial closing as compared with total closing, 6385.

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Further and strong approval of earlier closing (by two hours) on Saturday, wages being largely spent in drink on Saturday night, 6398, 6399, 6404, 6405.—Very large wages earned by corn-porters, a great portion being spent in drink, 6405.—Belief as to the magistrates having power to imprison for drunkenness in certain cases, 6411.—Very few grocers in Waterford who sell spirits; doubt as to any grocers opening on Sunday, 6412-6415.

Belief that a larger number have declared in favour of total closing than would have declared for partial closing, 6416-6423, 6430.—Reference to the South of Ireland Temperance League as including others besides total abstinents, 6424-6427.—Inexpediency of any reversal of a Sunday closing law in the event merely of its proving distasteful to the working classes, 6428, 6429.

## G.

*Gaffney, Nicholas B.* (Analysis of his Evidence.)—Experience of witness as county inspector at Limerick for the last eight years, 5185-5187.—Particulars as to the area and population of Limerick, there being 297 public-houses and twelve wholesale beer dealers, 5188-5193.—Increasing proportion of six-day licenses, these now numbering sixty-five, 5191, 5194-5198, 5209.—Statistics as to the arrests for drunkenness; fewer arrests on Sunday than on other days, 5199-5215.—Very little drunkenness in proportion to the population, 5206.—Slight variation from year to year in the number of cases on Sunday, 5209-5212, 5218.

Difficulties in convicting shebeen-keepers, of whom there are six; alteration desirable as regards proof of sale, 5213-5220, 5225-5229, 5281-5286, 5304-5306.—Number of convictions for sale in licensed houses before two o'clock on Sunday, 5291-5294.—Employment of four or five constables in plain clothes for detecting illicit sale, 5295, 5296, 5313.

Opinion adverse to total closing on Sunday, as likely to cause a great increase of illicit drinking, and as being very inconvenient to excursionists, 5230, 5231, 5248, 5250, 5259, 5302-5310.—Suggestion that the hours of sale on Sunday be from two to five; sufficient facility thereby to excursionists and others, 5231-5233, 5258, 5259, 5355-5360.—Abuse at present on the part chiefly of the lowest class who live in wretched hovels; importance of improved dwellings for this class, and of facilities for rational enjoyment on Sunday, 5233, 5234, 5258, 5259, 5279, 5280, 5319-5329, 5338.—Large number of very low public-houses, in many of which there are lodgers; difficulties of the police in detecting illicit sale in these houses, 5234-5241.

Large number of excursionists to and from Limerick on Sunday; practice of those going into the country to take refreshments with them, 5242-5245, 5243-5247.—Voluntary closing in some of the country districts of the county, and in the diocese of Cashel; beneficial effect thereof, 5255-5257, 5349, 5350, 5377-5381.—Increasing use of ale and porter in lieu of whisky; injurious effect if the former could not be obtained on Sunday, 5258, 5339-5337.—Unimportant character of a certain meeting in favour of Sunday closing, 5260-5265, 5294, 5299.—Very divided state of public feeling upon the question at issue, 5267, 5268.—Importance of earlier closing on Saturday, combined with shorter hours on Sunday, 5279, 5288, 5354-5365.

Expectation that increase of illicit drinking would take place in the licensed houses rather than in shebeens, if the Bill were passed, 5269, 5293-5296, 5354-5357.—Arrest chiefly of habitual drunkards; very few drunkards in proportion to the population, 5270, 5299-5301, 5330, 5331.—Further statement as to the relative number of arrests on Sundays and on other days, 5271-5276.—Illicit sale on Sunday chiefly in the houses having six-day licenses, 5287-5291, 5308-5310.—Orderly character of the Sabbath in Limerick, 5302.—Belief that those wanting drink will procure it somehow in spite of prohibition, 5303, 5353, 5389.—Disapproval of increased employment of the police as detectives in watching the public-houses, 5311-5317.

Excessive drinking chiefly in those houses having tap-rooms; this does not apply to hotels, 538.

*Gallery, Neptune B.* (Analysis of his Evidence)—continued.

hotels, 5333-5336-5342. 5354-5358—Increase of domestic drinking on Sunday if the public-houses be entirely closed, 5335-5337—Further statement as to the difficulty of proof in the case of shebeens, and as to the amendment required, 5357-5373. 5388-5389—Expediency of a prohibition upon back entrances to public-houses, 5374-5376—Opening on Sunday of many of the grocers' establishments; instances of complaint by the assistants, 5390-5392.

#### GLASGOW:

1. *Population, Area, and Police Force.*
2. *Licenses and Licensed Houses.*
3. *Sunday Closing of Public-houses under the Forbes Mackenzie Act; beneficial Effects thereof.*
4. *Amount of Drunkenness on Week-days and on Sundays before and since Sunday Closing.*
5. *Illicit Drinking in Shebeens, &c.; Action of the Police in the matter.*
6. *Private or Home-drinking.*
7. *Excursionists on the Clyde and to neighbouring Villages on Sunday.*
8. *Supplies at the Glasgow Hotels to Excursionists.*
9. *Irish Population.*
10. *Exception taken to the Conclusion as to the beneficial Operation of Sunday Closing.*

#### 1. *Population, Area, and Police Force:*

Estimate of 655,000 as the population of Glasgow, including a radius of a mile and a quarter outside the municipal boundary, *M'Call* 3243-3247. 3333—Effective police force of 650, including the marine division, *ib.* 3248-3251. 3334.

Further information as to the police force in reference to the population and area; increased force employed in the centre of the city where the population is dense, and the public-houses numerous, *M'Call* 3333-3351—Available force of about 880 men for looking after the liquor traffic, the marine division being employed only in harbour duty, *ib.* 3352-3357—Large area served by the Dublin Metropolitan Police so that the difficulty of suppressing illicit traffic on Sunday may be greater than in Glasgow, *ib.* 3429-3433.

#### 2. *Licenses and Licensed Houses:*

Separate licenses granted by the magistrates to hotels, public-houses, and grocers; there being also some beerhouse licenses granted by the Excise, *M'Call* 3252-3257—Exceedingly few grocers or publicans who reside on their premises, *ib.* 3323-3325.

Return submitted showing the number and rental of houses licensed for the sale of liquors in Glasgow in the years 1853, 1854, and 1873-76; *M'Call* 3506; *App.* 343.

#### 3. *Sunday Closing of Public-houses under the Forbes Mackenzie Act; beneficial Effects thereof:*

Absolute closing of the public-houses, grocers' shops, and beerhouses on Sunday, whilst the hotels, thirty-four in number, are allowed to sell liquor only to lodgers and travellers, *M'Call* 3258-3265—Result of witness' experience, that Sunday closing has brought a wonderful change in ridding the streets of drunkenness, and in securing peace and quiet on the Sabbath; extracts from reports made by witness' predecessor to a similar effect, *ib.* 3271-3275. 3388-3392.

Great reduction since 1849 in the number of brothels in Glasgow; very low character of these places, *M'Call* 3321, 3322—Absence of any disturbances upon the closing of the public-houses, *ib.* 3350—Belief as to the increase of reading-rooms open on Sunday, since the Forbes Mackenzie Act of 1853; *ib.* 3378-3381.

Examination upon the question whether not only as regards Sunday closing of public-houses, but as regards different kinds of recreation, the Presbyterian community of Glasgow are not much more strict in their views than the Irish Roman Catholic of the city, *M'Call* 3396-3413—Strong public opinion in Glasgow that the Act of 1853 has done great good, so that its repeal would not be tolerated, *ib.* 3409—Advantage if, in Dublin as in Glasgow, the more respectable classes would aid in enforcing the Sunday closing law, *ib.* 3463—Voluntary closing on Sunday of many of the public-houses before the Act of 1853 came into operation; belief that the majority were open, *ib.* 3486-3489.

#### 4. *Amount of Drunkenness on Week-days and on Sundays before and since Sunday Closing:*

Very large reduction in the apprehensions for drunkenness on Sunday, in the three years after the Forbes Mackenzie Act came into operation, as compared with the previous three years; large reduction also on week-days, *M'Call* 3276-3278—Relative proportion

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## 4. Amount of Drunkenness on Week-days and on Sundays, &amp;c.—continued.

tion of apprehensions on Sunday and on the other days of the week in the several years 1879-76, *M'Call* 3379.—Employment of one-third fewer police on Sunday than during the rest of the week, there being little or nothing to do on Sunday as regards drunkenness, *ib.* 3380-3382. 3335, 3336. 3348-3354.

Total number of apprehensions for crimes and offences on the Sunday of Glasgow Fair week, and on the other days of the week, in the years 1866 to 1876, *M'Call* 3331, 3333.—Statement of the total apprehensions for crimes and police offences from 1851 to 1876; relative increase of apprehensions and of population, *ib.* 3374-3376.—Effect of the reduction in the number of brothels in partly accounting for the diminished drunkenness on Sunday, *ib.* 3377.

Conclusion as to the consumption of whisky in Glasgow having greatly diminished on Sunday, though on the whole the consumption has probably much increased in Scotland, *M'Call* 3373-3377.—Advantage of the increased stringency of the police combined with the discontinuance of drunkenness by the force of public opinion, *ib.* 3392-3395.—Exceedingly large reduction since 1853 in the number of licensed houses available for the sale of liquor on Sunday, as compared with the reduction in the number of apprehensions for drunkenness; great laxity formerly as to apprehensions, *ib.* 3490-3495.

Return showing the number of persons apprehended or taken into custody by the Glasgow police in each of the years 1859-76, and the offences with which charged, *App.* 345.—Return showing the number of persons apprehended during the years 1879-76, and charged with disorderly conduct, or with being drunk and incapable, distinguishing those apprehended between eight a.m. on Sunday and eight a.m. on Monday from those apprehended on the other days of the week, *ib.* 349.

## 5. Illicit Drinking in Shebeens, &amp;c.; Action of the Police in the matter:

Less vigorous enforcement of the Act of 1853 in Glasgow than in Edinburgh, *Nichol* 96-100. 166-170.

Impartial action of the police in enforcing the law against hotels or public-houses, *M'Call* 3359, 3370.—Large decrease since 1854 in the number of illicit houses, owing doubtless to the more vigorous action of the police, *ib.* 3386-3388.

Increased powers of the police under the Act 35 & 36 Vict. c. 35, in 1862, and under the Glasgow Police Act, for entering illicit houses or shebeens, and for suppressing illicit traffic on Sunday; instances of effective proceedings for this purpose, *M'Call* 3288-3299.—Circumstances under which in May 1873 instructions were issued by witnesses authorising the employment of policemen in private clothes for the better suppression of shebeens, *ib.* 3293.

Statement of the number of persons convicted in each year since 1857 for keeping shebeens or selling illicitly, *M'Call* 3300.—Doubt as to the keeping of shebeens being much facilitated by the large number of houses let by separate rooms, *ib.* 3301-3303.

Return showing the number of persons convicted for being found in shebeens in the several years 1860-76, *M'Call* 3311, 3312. 3495.—Number of persons convicted for falsely representing themselves to hotelkeepers as travellers during the years 1864 to 1876, *ib.* 3313.

There are no instances of grocers selling on Sunday, and there is hardly any sale for consumption on the premises, *M'Call* 3326-3328.—Very strict action of the Glasgow police in arresting for drunkenness, *ib.* 3329-3331.—Full powers of the police for enforcing Sunday closing since the Act of 1856, *ib.* 3358, 3359.—Large decrease of eating-houses open on Sundays, *ib.* 3386, 3387.—Limited extent to which whisky is sold in the streets on Sunday by hawkers, *ib.* 3426-3428.

## 6. Private or Home Drinking:

Belief that there is less private drinking on Sunday than at the time the Act of 1853 came into operation, *M'Call* 3385.

## 7. Excursionists on the Clyde and to neighbouring Villages on Sunday:

Above the rating of excursion steamers on the Clyde on Sunday, on board which there is an extensive sale of drink, *Nichol* 103-105.

Small excursion traffic from Glasgow to the adjacent villages on Sunday; belief that there is not much illicit traffic in these villages, *M'Call* 3367-3374.—Considerable abate from sales of liquor on excursion steamers from Glasgow on Sunday; want of some check on this practice, *ib.* 3394-3399.—Statement of the number of arrests from steamers on Sunday, *ib.* 3395.

## 8. Supplies at the Glasgow Hotels to Excursionists:

Estimate of the number of travellers or excursionists who enter or leave Glasgow  
158. 3 C every

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8. *Supplies at the Glasgow Hotels to Excursionists*—continued.

every Sunday; total of 2,002 who entered the hotels between six and eight on a recent Sunday evening, *McCall* 3265-3268—During the whole Sunday about 8,000 persons may have entered the hotels, *ib.* 3268.

Explanations with further reference to the computation that about 8,000 persons enter the hotels on a recent Sunday, *McCall* 3414-3425, 3434-3448—Decrease since 1858 from forty-four to thirty-four in the number of hotels in Glasgow, *ib.* 3489-3485.

9. *Irish Population:*

Estimate of 75,000 as the Irish population of the city, *McCall* 3245—Absence of disturbance on the part of the Irish population of the city when the Act of 1853 was enforced; belief that the large majority would oppose a repeal of the Act, *ib.* 3449-3468, 3477—Great difficulty in enforcing the Act if all Glasgow were composed of an Irish population of the same class as that now there, *ib.* 3468, 3479, 3480.

Excellence of the Irish labouring class in Glasgow if free from the evil of drink and its bad consequences, *McCall* 3478—Conclusion that the Irish in Glasgow do not drink privately to excess, or the apprehensions would not be so few, *ib.* 3486-3498.

10. *Exception taken to the Conclusion as to the beneficial Operation of Sunday Closing:*

Testimony of several Scotchmen who are fellow-workmen of witness in Dublin to the injurious operation of Sunday closing in Glasgow, *Deignan* 2798-2805.

*Guinness's Brewery (Dublin).* Employment in Guinness's brewery of 2,217 working-men of various trades, witness being prepared to answer for 2,000 of these as decidedly opposed to Sunday closing, or to any shortening of the present hours of sale, *Higgins* 2954-2958, 2970-2976, 2987-2989—Full approval of witness' opposition to the Bill by his fellow-workmen, *ib.* 2967-2969.

## H.

*Habitual Drunkards.* Improvement expected if habitual drunkards were imprisoned instead of fined, the period being limited to four days, *Talbot* 347-349—Obstacle to any reclamation of habitual drunkards by Act of Parliament; these will obtain drink in spite of restrictions, *Ellard* 6016, 6017, 6021, 6022—Objection by habitual drunkards to Sunday closing, these however being few in Waterford, *Freeman* 6223—Conclusion that habitual drunkards will drink to excess on Sunday in spite of total closing, *Henahan* 6547-6553.

*Henahan, Patrick Francis.* (Analysis of his Evidence.)—Considerable experience of witness as clerk of the petty sessions in Waterford and in other official capacities, 6431, 6432—Belief that total closing of the public-houses on Sunday would lead to increased drinking on that day; that is, in the homes of the people, 6433-6436, 6490—Evid of home-drinking as tending to demoralise the children of the lower classes, 6435—Impression as to there being much illicit drinking in shabreen-houses on Sunday; great difficulty in proving sale in shabreens, 6437-6441—Extensive drinking also in licensed houses on Sunday at prohibited hours; instance of this, 6442, 6443.

Arrests for drunkenness on Sunday chiefly in the evening, though about one-third of the cases occur before the houses are opened, and in continuance of Saturday-night drinking; on the whole, however, there is not much drinking on Sunday, 6444-6446, 6482-6492, 6507-6511, 6546, 6546, 6573, 6574—More drinking on Saturday night than on any other three nights in the week, 6447—Limited extent to which the public-houses are used on Sunday by persons passing through Waterford to Traamore, 6448, 6449.

Grounds for the conclusion that the majority of the people of Waterford are opposed to Sunday closing, 6450, 6451—Advantage if the houses were closed at five or six on Sunday, 6451-6454—Decided improvement by closing on Saturday at six in winter and at seven or eight in summer, 6452—Expediency of heavier penalties on the vendor for illicit sale; unduly light penalties now imposed in Waterford, 6454-6456, 6454, 6544, 6550—Practice as to fines and imprisonment in the case of convictions for drunkenness, 6457-6461, 6464.

Statement as to the convictions for drunkenness including a large proportion of re-convictions of the same person, so that the actual number of drunkards is much reduced thereby, 6462, 6463, 6466-6473—Excessive expenditure in drink out of the large wages earned by carpenters; means of checking this abuse, 6463—Increase of drunkenness in Waterford owing to the increase of wages, 6474-6477—Approval of conviction of vendors on proof of intoxicating liquors being kept for sale in unlicensed premises, 6478-6480.

Further statement that Sunday closing would lead to the storing of liquor for home consumption,



*Hawker, Patrick Francis.* (Analysis of his Evidence.)—continued.

consumption, 6590, 6591. 6592-6596. 6593, 6594.—Orderly state of the streets on Sunday under the present law, 6498.—System of credit at the public-houses, and abuse on the score, 6493-6495, 6496.—Payment of wages generally on Friday; large expenditure out of these in drink on Saturday, 6496-6501.

Witness repeats that he believes total closing would lead to increased consumption of drink, inasmuch as it would be bought on Saturday for home consumption on Sunday, 6519, 6523. 6523, 6524. 6521-6521. 6525.—Doubt as to any grocers at Waterford having been convicted for consumption on the premises; the grocers, in fact, held publicans' houses, 6514-6518.—Limited opportunities of witness for knowing the views of the publicans upon the question at issue, 6525-6525.—Data for his conclusion that the working classes are for the most part opposed to total closing, 6536-6540.

Conclusion that habitual drunkards will drink to excess on Sunday in spite of total closing, 6547. 6565.—Question considered whether the police could not by greater vigilance prevent illicit traffic on Sunday if the houses were closed by law; advantage for this purpose in employing men not in uniform, 6552-6552.—Inexpediency of closing the houses against the great majority of the people, who only use them in moderation, 6560.—Inconvenience to the seafaring class at Waterford if they could not go to the licensed houses on Sunday, 6568-6572.

*Harrel, David.* (Analysis of his Evidence.)—In Sub-inspector of Constabulary in Belfast, his district comprising some 70,000 inhabitants, chiefly of the lower classes, 4233-4245.—Numerous public-houses in this district, used in moderation on Sunday, disorder being very exceptional, 4246-4251.—Reference to two meetings, attended chiefly by the respectable class, at which, after some opposition, resolutions were passed in support of the Sunday Closing Bill, 4252-4255. 4308-4310.—Recent meeting at the Ulster Hall at which the opinion in favour of Sunday closing was unanimous; the majority present were not of the working classes, 4256-4258. 4297-4300. 4311, 4312, 4318.

Result of witness' experience that the great majority of the working classes of Belfast are in favour of total closing on Sunday, there being, however, a considerable and respectable minority opposed thereto, 4269, 4269. 4305-4307. 4315.—Approval of a shortening of the hours of sale by those opposed to total closing; witness suggests that the hours be from two to six, 4261, 4262. 4303.—Little variation in the numbers visiting the houses in different hours between two and eight, 4263-4265.

Probability of an increased sale in unlicensed houses if the licensed houses were closed, 4266, 4267.—Alterations suggested as regards right of entry, penalties, &c., in order the better to suppress illicit traffic, 4268-4272.—Sufficient powers at present for preventing sale in licensed houses at forbidden hours, 4272.—Comparatively small number of excursionists, or of those who walk about on Sunday, who use the public-houses, 4274-4284. 4287-4289.

Accuracy of the statistics submitted to the Committee by Mr. Thynne, 4285, 4286.—Decided dissent from the opinion of Mr. Preston, that the majority of those entering public-houses on Sunday become the worse for liquor; very small percentage who are a cause of public scandal, 4290-4296.—Probability of an increased resort to alehouses by those who would find that total closing was an undue restriction, 4301-4304. 4316, 4317. 4319-4323.—Very orderly character of the Sabbath in Belfast without total closing, 4314, 4315.

*Haskers.* Probable increase of spirit-hawking in the streets if the public-houses be entirely closed on Sunday, Thynne 3950-3963.

*Hard, Alexander.* (Analysis of his Evidence.)—Has been County Inspector of Waterford for nearly four years, 6090-6091.—Total population of 23,200 in Waterford city, the area being 688 acres, and the constabulary numbering eighty-seven men, 6093-6095.—Total of 147 publicans with seven-day licenses, and of sixty-seven with six-day licenses; in addition to the latter, twenty-four of the former close all day on Sunday, 6096-6098.—Number of arrests for drunkenness in each year since 1869; gradual increase, 6099-6101.—Fewer arrests on Sunday than on any other day; particulars hereon, 6102-6105. 6176-6191.

Assistance rendered to drunkards by their friends on Sunday, this being one reason why the police do not arrest so many as on other days, 6105-6112.—Very few convictions for sale in unlicensed houses on Sunday, whilst the convictions for illicit sale in licensed are also not numerous, 6113-6117.—Steps taken by the police in order to detect illicit sales, and to obtain convictions; amendment desirable in their powers for the purpose, 6118-6125.

Universal opinion of the clergy of Waterford as to the great benefits to be derived from Sunday closing, 6126.—Amelioration in the wretched homes of the lower classes if money were not spent in drink on Sunday, 6127-6130.—Feeling of the respectable publicans in favour of Sunday closing, 6131.—Belief that the people generally, save

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*Heard, Alexander.* (Analysis of his Evidence)—continued.

drunkards, are favourable to total closing; unanimity on the subject at several public meetings, 6132-6141. 6200-6202.

Numerous excursionists from Waterford to Teanane on Sunday; opportunity of three for obtaining refreshment, 6142-6145. 6172-6175.—Belief that illicit traffic could be effectually checked by the present police force, the houses being closed by law, 6146, 6147. 6203-6205.—If the houses be open at all on Sunday, they should be open for three or four hours, 6148.—Decided preference for total closing as compared with partial closing, 6149.—Suggestion that the houses be closed at 8 o'clock on Saturday evening, and be not opened again till 10 on Monday morning, 6149-6158. 6210.

Satisfactory result on certain occasions when the publicans of Waterford closed their houses voluntarily, 6159-6166.—Probable proportion of habitual drunkards amongst those convicted; the former are not arrested on Sunday, 6167-6171. 6180.—Fairly temperate character of Waterford; difficulty in stating the proportion of intemperate persons, 6191-6193.—Instances of disorder and drinking since Sunday closing has been observed in Wexford, 6208-6209.—Very few sailors among the arrests for drunkenness at Waterford, 6211, 6212.

*Higgins, Patrick.* (Analysis of his Evidence).—Extensive experience of witness as to the artisan class of Dublin; he is master cooper in Guinness's brewery, and is president of the Coopers' Society, which comprises nearly 600 workmen, 2948-2954. 2992.—Employment in the brewery of 2,227 working men of various trades, witness being prepared to answer for 2,000 of these as decidedly opposed to Sunday closing, or to any shortening of the hours of toil, 2954-2958. 2970-2976. 2987-2989.—Representation by witness of the sober, industrious, and temperate class of artisans, whom he knows to be adverse to any alteration of the hours, 2954, 2955. 2956. 2970-2976. 2986-2989.

Obstacles to the storing of drink by the working classes of Dublin for home consumption on Sunday, 2956.—Recent meeting of delegates from eighteen trades, by whom witness was deputed to appear in opposition to the Bill; want of time, but for which the trades generally would have opposed more actively, 2957-2962. 2993-2994.—Absence of any action on the part of the trade societies in support of the Bill, 2963-2965.—Great impetus to illicit sale in beerhouses if the Bill become law; demoralisation in these places being used as lodging-houses so as to facilitate illicit traffic, 2968. 2990, 2991.

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*Holidays.* Objection to total closing on certain days partially observed as holidays, *Spillane* 5469. 5470.—Examination as to the grounds for witness' conclusion that the Sunday-closing movement is a Sabbatarian one; statement more especially as to restriction not having been proposed on the several holidays, when drinking to excess is much greater than on Sundays, *Ellard* 5936-5971. 5986-5993. 6012-6015. 6075-6088.

*Home-drinking.* Excessive drinking when men go to public-houses on Sunday, as compared with the moderate drinking in their own houses, *Falkner* 1307.—Tendency of the Bill to act as a cure for intemperance, though it might not prevent excessive drinking in the homes of the people, *Mr. Alderman St. Saviour* 1527, 1528. 1533.

Probability of the Bill leading to much domestic drinking on Sunday to the demoralisation of the younger members of families, *O'Donnell* 2047.—Grounds for the conclusion that the habitual storing of drink for home consumption on Sunday would have a demoralising effect upon wives and children, *Duignan* 2857-2896. 2943-2947.—Much less probability of men getting drunk at home than at public-houses, *Murray* 3217.

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Witness repeats that he believes total closing would lead to increased consumption of drink, inasmuch as it would be bought on Saturday for home consumption on Sunday, *Handerson* 6512, 6513. 6523, 6524. 6541-6551. 6565.

See also *Edinburgh*, 4. *Glasgow*, 6. *Scotland*, 7. *Storage of Drink.* *Waterford*, 4.

*Homes*

*Houses of the Lower Classes.* Neglected, squalid, and wretched condition of the houses of the lower classes in Dublin, owing largely to excessive expenditure in drink on Sunday and other days; beneficial influences by which the former evil may be remedied, *Falkner* 1199-1210, 1218, 1219—Special importance attached by witness to an improvement of the houses of the working classes, *ib.* 1277, 1317-1320.

Hopelessness of any real amelioration in the general condition and the drinking habits of the lower classes in Dublin so long as their houses remain in their present state of filth and abomination, *O'Donel* 2077, 2078, 2126.

Beneficial effect of Sunday closing in leading to improvement in the houses of the people, *Brincoe* 3043, 3044—Abuse at present in Limerick on the part chiefly of the lowest class who live in wretched hovel; importance of improved dwellings for this class and of facilities for rational enjoyment on Sunday, *Galwey* 5223, 5234, 5252, 5259, 5279, 5280, 5319-5329, 5338—Amelioration in the wretched houses of the lower classes if money were not spent in drink on Sunday, *Heard* 6127-6130.

*Hotel Licences.* Absence of distinction between the license to a public-house and to a hotel, *Reed* 215—Belief that in Ireland the magistrates would not refuse licenses to hotel keepers for supplying drink to excursionists, *Talbot* 977-979.

#### HOURS OF SALE :

1. *Regulations now in force as to the Hours for which Public-houses may be Open on Sunday.*
2. *Suggestions in detail for a further Limitation of the Hours of Sale, in lieu of Total Closing.*
3. *Opinions favourable to Total Closing as compared with a Limitation of the Hours of Opening.*
4. *Objection to any Alteration of the existing Regulations.*
5. *Non-adoption by the Committee of a Proposal for fixing the Hours of Opening at from Two to Seven.*

1. *Regulations now in force as to the Hours for which Public-houses may be Open on Sunday :*

Four changes in the law since 1833 as to the hours of closing on Sunday, the present hours of opening being from two p.m. to nine p.m. in towns with more than 5,000 inhabitants, and from two till seven in other places, *Reed* 174—Previously to 1873 the hours for the sale of drink in Dublin on Sunday were from two to eleven, the houses closing at nine since that year, *Carr* 993-997.

2. *Suggestions in detail for a further Limitation of the Hours of Sale, in lieu of Total Closing :*

Approval of shorter hours of sale in Dublin on Sunday, though witness doubts whether there would be any material advantage as regards diminution of arrests or disorder, even if the licensed houses were totally closed, *Talbot* 270, 311, 312, 477-498—Advantage of early closing rather than total closing, though the former would probably cause an increased resort to unlicensed houses, *ib.* 587-590.

Further approval of the system of weaning people from drink by shortening the hours of sale, whilst it seems unjust to entirely prohibit sale, because there is abuse on the part of very few, *Talbot* 703-710—Dissent from the view that opening on Sunday for one hour would be sufficient; opinion that the hours in Dublin should be from two to seven, *ib.* 865, 882.

Improvement when the hours of sale on Sunday were curtailed in 1872, witness approving of a further shortening of the time by closing at seven instead of nine, *Carr* 1029, 1036-1038—Approval of some distinction between winter and summer as regards the hour of closing on Sunday, *ib.* 1103-1105.

Great inconvenience to the working classes if the houses were open only from two to three or four; comfortable accommodation in some public-houses as compared with the houses of the lower classes, *Dwyer* 1803-1806—Conclusion that it would be very desirable to shorten the hours still more on Sunday, and to make them from two to six or seven, though there would doubtless be some increase of illicit drinking in the evening, *O'Donel* 2014-2068, 2097-2100—Approval of a further and gradual decrease in the hours of sale on Sunday, if experience shows that the first decrease has worked satisfactorily, *ib.* 2081-2087.

Opinion that if the houses were open from two till six, it would be far better than total closing, *Thyne* 3334-3336—Witness considers that the public-houses should be open only from two till six on Sunday, *Orme* 3998-4000—Improvement if the public-houses were open only from two till five or six, *Macloed* 4327-4332—Recommendation that the houses be open on Sunday only from two to six, both in winter and summer, *Barry* 4698, 4701, 4725-4727.

*HOURS OF SALE*—continued.2. *Suggestions in detail for a further Limitation of the Hours, &c.*—continued.

Suggestion that the hours of sale on Sunday be from two to six in winter and from two to seven in summer, *Carroll* 4874.—Opinion that the hours of sale on Sunday should be from two to five; sufficient facility thereby to excise-masters and others, *Galley* 5131-5133-5158. 5258. 5355-5365.—Approval of the houses being closed at five in winter, and at six or seven in summer, *MacCarthy* 5547, 5548.

Suggestion that the public-houses be open for only two hours on Sunday afternoon; sufficient facilities thereby for the people generally to obtain what they require, *Spaight* 5668. 5694-5704. 5711-5718. 5748-5756.—Circumstances of witness not having advocated a restriction of the hours before the present inquiry took place, *ib.* 5770-5773.

Expediency in the first instance of a shortening of the present hours, together with earlier closing on Saturday; in course of time total closing on Sunday may gradually be arrived at, *O'Shaughnessy* 5928-5931.—Advantage if the houses were closed at five or six on Sunday, *Manhara* 6451-6454.

3. *Opinions favourable to Total Closing as compared with a Limitation of the Hours of Opening:*

Great improvement if the hours of sale were gradually shortened in view of total closing within a few years; witness, however, would prefer the adoption of the present Bill, *Falkner* 1439-1435.—Expediency of at once closing the houses, rather than of gradually abridging the hours, *Mr. Alderman McSwiney* 1492-1495.—Marked improvement when the hour of closing was altered from 11 to 9; further and great improvement by total closing, *Brice* 3119, 3120.—If a publican be allowed to open at all on Sunday, he should be permitted to do so for three or four hours; decided preference, however, for total closing, *Heard* 6148, 6149.

Effect of opening for only two hours in the afternoon to increase rather than diminish the amount of drunkenness; expectation that people from the country would largely frequent the houses in such case, and would get drunk, *Freeman* 6234, 6235. 6247-6249. 6304-6310.—Excellent effect of the shortening of the hours of sale on Sunday night under the Act of 1872; much better result if they were closed altogether, *ib.* 6235-6246.—Probability of many of those getting drunk who would enter the public houses if open for a few hours in the afternoon, *ib.* 6304-6310. 6320, 6321.—Witness further objects strongly to partial closing as compared with total closing, *ib.* 6385.

4. *Objection to any Alteration of the existing Regulations:*

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5. *Non-adoption by the Committee of a Proposal for fixing the Hours of Opening at from Two to Seven:*

Amendment proposed by the Chairman of the Committee in Clause 1 of the Bill as to the hours of closing on Sunday, it being suggested that the hours of opening shall be from two to seven; this amendment negatived on a division, *Rep.* ix.

See also Belfast, 7. Cork, 5. Dublin, 11. Public Opinion. Saturday, 2. Total Closing.

## I.

*ILLEGAL SALE (GENERAL):*

Omission in the Act 35 and 36 Vict. c. 94, there being no prohibition against drink being "kept for sale" by unlicensed persons; amendment suggested, *O'Donel* 2056.—Amendment required also in the Act 37 and 38 Vict. c. 69, as regards publicans refusing and delaying to admit constables, *ib.*—Comment upon the great increase of penalty, from 40 s. under the old Act, to 50 l. under the new, *ib.*—Alteration suggested as to the penalty or imprisonment to be imposed for refusal to admit constables to search unlicensed houses, *ib.* 2057-2059.—Amendment proposed as regards the proceedings to be taken against persons found tipping in unlicensed houses, *ib.* 2060.

Suggestion that similar powers of entry be given to the police at Belfast as at Glasgow, with a view to the detection of illicit sale, *Thynne* 3922, 3923. 3928.—Expediency of further checks upon illicit sale in shibbons; that is, by means of heavier penalties, *Preston* 4214-4222.—Alterations suggested as regards right of entry, penalties, &c., in order the better to suppress illicit traffic in unlicensed houses, *Harrel* 4568-4572.—

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**ILLEGAL SALE (GENERALLY)**—continued.

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Check to illicit sale if the police had increased powers of entry, and if heavier fines were inflicted, *Masserly* 5517-5524.—Tendency of Sunday closing to cause illicit sales in other towns as much as in Limerick, *ib.* 5571-5578.—Expediency of increased facilities being given to the police for obtaining convictions for illicit sale of drink, *Freeman* 6390.

Want of heavier penalties on the vendor for illicit sale; usually light penalties now imposed in Waterford, *Hankerson* 6452-6456. 6484. 6541. 6562.—Approval of conviction of vendors on proof of introducing liquors being kept for sale in unlicensed premises, *ib.* 6478-6480.—Question considered whether the police could not, by greater vigilance, prevent illicit traffic on Sunday if the houses were closed by law; advantage for this purpose in employing men not in uniform, *ib.* 6552-6564.

See also *Adulteration. Beerhouses. Belfast, 3, 4. Cork, 3. Dublin, 4-6. Edinburgh, 4. Glasgow, 5. Hawkers. Limerick, 3. Scotland, 6. Shobens. Spirit Grocers. Waterford, 3.*

**Imprisonment for Drunkenness.** Practice of witness as magistrate to inflict the full fine of 10 s. or seven days' imprisonment on conviction for drunkenness; doubt as to this penalty doing much good, *O'Deal* 2076, 2077. 2147-2142.—Decided approval of a power in the magistrates to commit drunkards to prison without the option of a fine, *O'Shaughnessy* 5861-5864.—Belief as to the magistrates having power to imprison for drunkenness in certain cases, *Freeman* 6411.—Varying practice of different magistrates in Waterford as to imprisoning for drunkenness, *Fisher* 6586.

**Imprisonment (Sunday Drinking).** Comment upon the facility to imprisonment for Sunday drinking if the Bill be passed, *Dwyer* 2014-2017.

**Irish Sunday Closing Association.** Examination as to the action of the Irish Sunday Closing Association, and as to the association having obtained the direct support of only a minority of the Roman Catholic clergy, *Falkner* 1377-1397.

Circumstance of three signatories (out of six) to a petition from the Sunday Closing Association being natives of Scotland; active part taken by two at least of these gentlemen in aid of benevolent institutions in Dublin, *Russell* 2267-2275. 2464-2470.—Belief that the association will be at once dissolved if the proposed Bill be enacted; large majority of the association hostile to the total suppression of the liquor traffic, *ib.* 2276-2278.—Small amount contributed by England and Scotland in aid of the association, *ib.* 2282.—Chief heads of expenditure, *ib.* 2283.—Very small contributions from the working classes, *ib.* 2284, 2285.—The association has been in existence since 1866; *ib.* 2386.

Evidence relative to the mode of disposal of the funds of the Sunday Closing Association, *Russell* 2385-2406.—Denial that either this association or the Irish Permissive Bill Association offered to contribute to the election expenses of candidates in favour of Sunday closing; offer to this effect on the part of the United Kingdom Alliance, *ib.* 2407-2429.—Benevolent objects by which the promoters of the Sunday Closing Association have been assisted, *ib.* 2430-2432.—Immense progress made by the association with those classes most affected by Sunday closing, *ib.* 2433-2435.—The association have not taken up the question of Saturday night closing, *ib.* 2436, 2437.

Explanation to the effect that in some instances requisitions from electors of boroughs in favour of the Bill have been sent by the Sunday Closing Association to the borough members; way in which the signatures to the requisitions were obtained, *Russell* 2664-2681.—Statements attached to the voting papers at Cork and Limerick in strong support of the Sunday Closing Bill, *ib.* 3005.

## K.

**Kavanagh, James.** (Analysis of his Evidence.)—Is Secretary to the Dublin Spirit Grocers' Association, which comprises about half the spirit-grocers in Dublin 4445. 4448.—Gives a positive denial to certain statements that the spirit-grocers are in the habit of persistently trafficking at prohibited hours; any instances of such traffic are isolated.

*Kearney, James.* (Analysis of his Evidence)—continued.

4446-4449. 4455. 4514. 4515.—There have been numerous convictions of spirit grocers for selling for consumption on the premises, but many of these cases go by default, because of the difficulty in getting customers to attend before the magistrate in order to disprove the charge, 4459, 4459, 4459.

Great hardship if spirit grocers in localities where there are no licensed retail houses were prohibited from selling less than a pint of liquor at a time, 4459.—Very irregular distribution of public-houses throughout Dublin, a re-distribution being much required, 4459, 4459. 4527.—Little, if any, violation of the law as regards consumption on spirit grocers' premises, if the licensed retail-houses were evenly distributed, 4459, 4459.

Approval by the Spirit Grocers' Association of a limited closing on Sunday, but not of total closing; explanation hereon that many highly respectable spirit grocers do not belong to the association, 4457-4460.—Increasing consumption of porter in Dublin as compared with whisky, 4457.—Statement as to spirit grocers not selling to *lead fide* travellers on Sunday, 4461, 4462.

Grounds for the suggestion that the spirit grocers in certain localities where there are few licensed retail houses, should receive publicans' licenses through the police, 4463-4475. 4528, 4527.—Expediency of an assimilation of licenses; that is, by licensing some spirit grocers as publicans, and by taking the license from other spirit grocers in localities where they are not needed, 4463. 4468-4468. 4474-4479. 4528, 4527.

Exceptions taken to the Recorder's Court as the licensing authority; improvement if the matter rested with a committee of magistrates or with the stipendiary magistrates, 4468-4473. 4500, 4501.—Explanation that groceries are sold by nearly all the publicans in Dublin; infringement thereby of the legitimate trade of the spirit grocer, 4480-4484. 4502-4505. 4528-4530.—Doubt as to illicit drinking on Sunday having increased of late, 4485.—Instances of houses which sell illicitly on Sunday morning, although the police do all they can in the way of detection, 4485-4489.

Conditions and restrictions of the license taken out by spirit grocers, witness submitting that much hardship is involved, whilst there is an increased charge as compared with the publican's license, 4485. 4496. 4509-4509.—Grievance in depriving some spirit-grocers of their licenses, though it would be in the interests of the public, 4497-4499.—Freedom of licensed victuallers from risk or penalty save for allowing drunkenness on the premises, whilst spirit grocers are liable in the event of any sale for consumption on the premises, 4503.

Explanation relative to the practice of spirit grocers in giving treats of whisky or porter to servants and others bringing orders for groceries; approval hereon of a condition that there must be separate compartments for the sales of drink and of groceries, 4506-4513.—Comment upon the constant opposition offered by the victuallers to applications by grocers for retail licenses, 4516-4518.—Expediency of spirit grocers being allowed to sell by retail for consumption on the premises; else, the publicans should not be allowed to sell groceries, 4526-4530.

*Kingstown.* Divided state of feeling in Kingstown on the question at issue, *Taaff* 339.—Recent meeting of the Kingstown Town Commissioners, at which it was resolved by a considerable majority to petition Parliament against the Bill, *Dwyer* 2038, 2039.

## L.

*Licenses (Public-houses, &c.).* Summary of the provisions of the different Acts upon the subject of licensing in Ireland and the supervision of licensed houses, *Reed* 173.—Application of the law as to Sunday closing to four different classes of licensed houses; that is, public-houses, beer retailers, spirit grocers, and refreshment wine houses, these being all under the supervision of the police, *ib.* 175, 176, 184, 185, 189, 190.

Four classes of licenses which are granted without the magistrate's certificate, and are solely excise licenses, *Reed* 190, 191.—There are also four principal licenses which require the magistrate's certificate, *ib.* 191, 215.—Very few publicans who sell beer only, and do not take out a license for spirits also; increased charge for the latter license, *ib.* 208, 209.—Particulars relative to the charge for the different kinds of licenses, *ib.* 215-221.

Conditions required by the magistrates as to the character of the premises for which licenses are sought; explanation that there is no prohibition of back doors or private entrances, and that these are not considered means of evasion, *Reed* 227-236. 239-245.—Witness, who has been Recorder of Dublin since July 1876, is in that capacity the sole licensing authority within the municipal boundary; he has also appellate jurisdiction as regards the renewal or refusal of licenses by the magistrates over the metropolitan police area, *Falkner* 1178-1180. 1324, 1325.—Care always taken by the police to prevent licenses being granted to improper persons, *ib.* 1412.

Grounds,

*Licenses (Public Houses, &c.)—continued.*

Grounds for the suggestion that the licensing magistrates should have power to inquire into structural changes made since the original license was granted, and to refuse a renewal of the license unless they are satisfied in this respect, *O'Donnell 1061-1063.*

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Suggested assimilation of licenses in Dublin; that is, by licensing some spirit grocers as publicans and by taking the license from other spirit grocers in localities where they are not needed, *Kearney 4463-4468, 4474-4479, 4505, 4507.*—Exceptions taken to the Recorder's Court as the licensing authority; improvement if the matter rested with the committee of magistrates, or with the stipendiary magistrates, *ib. 4468-4473, 4500, 4501.*—Grievance of depriving some spirit grocers of their licenses, though it would be in the interests of the public, *ib. 4497-4499.*

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*LIMERICK:*

1. *Population, Area, and Number of Licenses of different Classes; Practice of the Magistrates as to Licenses.*
2. *Amount of Drunkenness, and Condition of the City on Sundays, as compared with other Days.*
3. *Illicit Sale in Shebeens, &c.; Action of the Police in the matter.*
4. *Grocers' Establishments.*
5. *Excursionists.*
6. *Local Feeling on the Question of Sunday Closing.*
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1. *Population, Area, and Number of Licenses of different Classes; Practice of the Magistrates as to Licenses:*

Particulars as to the area and population of Limerick, there being 297 public-houses and twelve wholesale beer dealers, *Gallwey 5188-5193.*—Total population of 39,353 at the last census, the municipal area being 2,574 acres, *ib. 5168, 5189.*—Increasing proportion of six-day licenses, these now numbering sixty-five, *ib. 5191, 5192-5195, 5389.*

Former practice of the magistrates in granting new licenses for only six days, they having returned to the issue of seven-day licenses, *MacCarthy 5543-5553, 5545, 5557, 5558.*—Explanation of the circumstances under which the magistrates granted a license to a man who had been convicted of felony, *ib. 5534-5544, 5553-5556.*

Returns containing particulars as to the number of public-houses and licenses of different classes, *App. 339, 340.*

2. *Amount of Drunkenness, and Condition of the City on Sundays, as compared with other Days:*

Frequency of cases of drunkenness and of riots in the streets on Sunday evening; witness submitting that there is more drinking and drunkenness on Sunday than on any other day except Saturday, *Clery 5043-5052, 5076-5079, 5152-5153, 5173-5184.*—Practice of large numbers of the working classes to remain quietly at home on Sunday, these not being affected by the closing of the public-houses, *ib. 5070-5075.*—Beneficial action of the Refreshment-houses in Limerick in inducing habits of sobriety, *ib. 5141-5145.*—Liability to riots at Limerick, the Sunday Closing Bill being very desirable on this score, *ib. 5148.*

Statistics as to the arrests for drunkenness; fewer arrests on Sunday than on other days, *Gallwey 5199-5212, 5271-5278.*—Arrests chiefly of habitual drunkards; very few drunkards in proportion to the population, *ib. 5208, 5270, 5299-5301, 5330, 5331.*—Slight variation from year to year in the number of cases on Sunday, *ib. 5209-5212, 5318.*

Numerous prosecutions before the magistrates on Monday morning for drunkenness, many of these cases being doubtless due to Saturday night, *Spillane 5406, 5407.*—Fewer arrests on Sunday than on other days owing very much to drunken men being more frequently taken charge of by their friends on Sunday, *ib. 5407-5413.*

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Fewer people arrested for drunkenness on Sunday than on other days; belief that the police are quite as active on Sunday as on any other day, *MacCarthy* 5526-5529—Possible state of Limerick on Sundays, *id.* 5618, 5629.

Opinion that Limerick is very free from drunkenness on Sunday; witness dissenting from certain evidence to a contrary purport, *Spaight* 5705-5710—Small number of drunkards in proportion to the total population; a restrictive summary law in the shape of total closing on Sunday being undesirable, *id.* 5733-5747, 5757.

Beneficial operation of certain religious societies in spreading habits of temperance, *O'Shaughnessy* 5835—Statement as to excessive drinking being confined to the class of habitual drunkards; temperance and sobriety of the people generally, *id.* 5761, 5805-5808, 5932-5935.

Denial that Limerick is open to the stigma of drunkenness; very peaceful and orderly state of the city on Sunday, save in the case of habitual drunkards who are very few in proportion to the population, *Ellard* 5941-5945, 5953, 5972-5980, 6016, 6030-6033—Equal activity of the police on Sunday as on other days in arresting for drunkenness, *id.* 5952, 6053.

3. *Illicit Sale in Shebeens, &c.; Action of the Police in the matter.*

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Return submitted showing the number and rental of houses licensed for the sale of liquors in Glasgow in the year 1853, 1858, and 1873-76; 3506.—Return showing the number of licences granted in the eight principal towns of Scotland, with the population, &c., in each case, in the years 1851 and 1871, &c.

*Macleod, John Sheridan.* (Analysis of his Evidence.)—Has been for eight years resident magistrate at Cork, 4324, 4325.—Feeling of the people of Cork, including all classes, adverse to the Sunday Closing Bill, but favourable to a curtailment of the present hours, 4326-4330. 4374-4391. Information relative to the number of excursionists out of and into Cork on Sunday, the latter, more especially, being excessively inconvenient if they could not obtain refreshment at the public-houses, 4331-4349. 4395-4397. 4405-4409. 4416-4420. 4424-4428.

Enjoyment of Sunday, after about two o'clock, by the Roman Catholics in the South of Ireland, as a day of relaxation and innocent amusement; very different observance of the Sabbath by the Presbyterians in the North, 4332. 4337. 4444-4428.—Difficulty of meeting the wants of all land, &c. travellers or excursionists into Cork under a Sunday-closing law, 4345-4349.—Use of the public-houses on Sunday by the people generally as well as by excursionists, there being, however, very little drunkenness, 4350, 4351.—Fewer arrests on Sunday for drunkenness than on Saturday or Thursday; statistics hereon, 4351-4358.

Improvement if the public-houses were open only from two till five or six, 4337-4362.—Expediency of Cork and its suburbs being under the same regulations as to the hours of closing, 4363, 4364.—Very little shebeen drinking in Cork; danger of increase

if

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*Macleod, John Sheridan.* (Analysis of his Evidence)—continued.

If the public-houses were totally closed, 4365-4369.—Very few convictions for sale in licensed houses at prohibited hours; statistics hereon, 4370. 4436-4444.

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*McSwiney, Mr. Alderman.* (Analysis of his Evidence).—Was Lord Mayor of Dublin in 1864 and 1875, and has had several opportunities of knowing the state of public feeling on the question of Sunday closing, 1449-1452.—Particulars relative to two public meetings at the Rotunda in 1875, at which witness presided; unanimous adoption of resolutions in favour of Sunday closing, 1459-1465. 1508-1513. 1547. 1548.—Attendance chiefly of the working classes at the foregoing meetings, 1459. 1508. 1509.—Reference also to two meetings at the Mansion House, attended chiefly by employers of labour, in support of Sunday closing, 1452. 1453.

Desire evinced by many of the working classes to be rid of the temptation to drink on Sunday, 1466.—Grounds for concluding that the inconvenience and dissatisfaction would be small as compared with the benefits to be derived, and that disorder or rioting would not result, 1467-1474. 1614. 1615.—Special occasions of public demonstrations in Dublin, upon which the publicans (much to their credit) have voluntarily closed their houses; excellent effect thereof, 1471-1473. 1558-1565. 1592-1597. 1616-1618.

Belief as to there being much illicit drinking in unlicensed houses, though the police are more vigilant in suppressing this traffic, 1475-1477.—Reason for increased vigilance on the part of the police in dealing with illicit sale; suggestion also that some detectives be employed for the purpose, 1478. 1567-1573.

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Opportunities of witness for knowing the feelings of the working classes on the question at issue, and for concluding that their poverty is caused chiefly by indulgence in drink, and that they would gladly be free from the temptation on Sunday, 1496-1503. 1514-1521. 1529.—Dissent from Captain Talbot's views as to the difficulties to be encountered by the police in enforcing Sunday closing, 1504-1507.—Expectation that the people generally would readily conform to the proposed law, and that the dissatisfaction and inconvenience would be small, 1510. 1614. 1615.—Conclusion that those who drink in moderation would secure what was necessary for Sunday use, 1510-1516. 1615.

Tendency of the Bill to act as a cure for intemperance, though it might not prevent excessive drinking in the houses of the people, 1507. 1508. 1533.—Witness repeats that the vast majority of the working classes are in favour of total closing of the public-houses on Sunday, 1509. 1537. 1549.—Belief that intemperance on Sunday is on the increase in Dublin, 1530-1533.—Excellent effect anticipated as regards the youths of the city by removing the temptation offered by the public-houses on Sunday; prospect in such case of their going into the suburbs for healthful and rational recreation, 1533-1536. 1600-1603.—Increasing resort of respectable young women to public-houses on Sunday, 1533. 1600.

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*Mr. Sarsley, Mr. Alderman. (Analysis of his Evidence.)—continued.*

Approval of the Bill by the borough magistrates, 1575.—Entire absence of any danger of drink riots, 1576.—Opinion that by employing special detectives the police authorities may effectually deal with illicit sale, 1577, 1578.—Entire satisfaction of the people of Tipperary with Sunday closing, though they would be the first to resist any class legislation, 1584-1589.

Circumstance of the inhabitants of the Portobello district having by the employment of civilian detectives put down tipping in bad houses, 1598, 1599.—Large class of persons who enter the public-houses merely because of the temptation thrown in their way; these would readily comply with the proposed law, 1600, 1601.—Impression as to the magistrates not having power to close the public-houses, save in view of riot, 1604-1607.

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*Magistrates.* Feeling of the borough magistrates of Dublin, that the Bill should pass into law in the interest of the people themselves, *Mr. Alderman M. Sarsley* 1575.—Doubt as to the magistrates having power to close the public-houses, save when riot is apprehended, *ib.* 1604-1607.

Conclusion arrived at by witness as one of the police magistrates of Dublin, strongly opposed to the total closing of public-houses on Sunday, *O'Donnell* 2048, 2047.—Concurrence of some of witness' colleagues in the view that the public-houses should be closed earlier on Sunday but not closed altogether, *ib.* 2079-2080.—Weight to be attached to the testimony of magistrates who have had experience of total closing in large cities under the same conditions as exist in Dublin, *ib.* 2134-2136.

*Monday (Hour of opening Public-houses.)* Suggestion that the hour of opening on Monday morning be eight instead of seven, *Barry* 4678. 4700.—See also *Working Classes.*

*Murphy, Mr. (Member of Committee.)* Special Report proposed by Mr. Murphy, but not adopted by the Committee, *Rep.* 226.

*Murray, Edward. (Analysis of his Evidence.)*—Appearance of witness before the Committee as delegate from the Working Men's Club of Dublin upon the question of Sunday closing, 3158.—He is secretary to the club, which comprises about 300 members, 3159, 3160.—Employment of witness as a carpet-fitter; he has mixed much with the working classes of Dublin, who are a most intelligent body, 3181-3184.—Willingness of the working men to put up with any inconvenience arising from Sunday closing of the public-houses, 3165-3168.

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Several meetings attended by witness, which were called by the supporters of the Bill; fair manner in which conducted, every facility having been given to those who wished to speak against the Bill, 3177-3183, 3212-3214.—Estimate of about 10,000 persons as present at a meeting in the Phoenix Park in favour of Sunday closing, 3184, 3185.—Particulars as to the meeting of the Working Men's Club at which witness was appointed to attend this Committee, 3189-3191, 3198, 3197.—Strong temperance feeling of a large body of the members of the club, 3192-3199.

Objection to a general prohibition upon the sale of alcoholic liquor, even though it might prevent waste of wages, 3216-3218, 3225.—Particulars as to witness having obtained numerous signatures to petitions in favour of Sunday closing, by asking the lower classes to sign on leaving certain Roman Catholic churches, the refusals to sign having been not more than one in ten, 3219-3223, 3228-3233.

Instance of the temptation through the houses being open, though only for a few hours; decided objection to a mere curtailment of the present hours, 3234, 3226.—Much less probability of men getting drunk at home than at the public houses, 3227.—Active part taken by witness, gratuitously, in aid of the Sunday Closing Association, 3234-3237.

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*Nesdon, James Buchanan. (Analysis of his Evidence.)* Is a member of the Scotch Bar, and is Legal Secretary to the Lord Advocate of Scotland, &c.—Reference to the Home-Drunkenness Act of 1828, as first prohibiting the sale of liquors in Scotland during the hours of Divine Service on Sunday, 2-4.—Passing of the Forster Mackerie Act in



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*Nicolson, James Badenach.* (Analysis of his Evidence).—continued.

in 1853, which provided for the entire closing of public-houses and grocers' shops on Sunday, 4.—Different provisions in the subsequent Act of 1852 as regards, respectively, inns and hotels, public-houses, and grocers' premises; this Act practically superseded the Forbes Mackenzie Act, *ib.*

Legal difficulty experienced in Scotland under the provision in the Act of 1852 as to travellers and hotel lodgers being entitled to purchase liquors at hotels and inns on Sunday; liberal interpretation by the magistrates of the term "bona fide traveller," 4-7, 19, 20, 27-29.—Clause in the Act of 1852 for the punishment of persons falsely representing themselves as bona fide travellers, 4, 6.—Similar regulations applied by Act in 1876 to beer-houses as to grocers' premises in regard to licences, 7, 8.

Different rates of duty charged for different licences; similar rate for hotels and for public-houses, 10-12.—Better class of people who frequent hotels than public-houses; doubt as to any grievance being felt by the inferior classes who, as travellers, must go to hotels on Sunday instead of to public-houses, 14-17.—Improvement if, in Scotland as in England, a minimum of three miles should be travelled before persons could claim to buy liquors at hotels on Sunday, 19, 20.—Difficulties experienced through persons going from large towns into the suburbs in order to claim drink as travellers; revocation of numerous licences in consequence, 21-26.—Complete stoppage of sale on Sunday, since 1853, save at hotels, the people generally being in favour of the existing restrictions, 24, 30-32.

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Concurrence of witness in the view that the Act has operated beneficially, 91.—Less vigorous enforcement of the Act in Glasgow than in Edinburgh, 96-100, 106-170.—Conclusion that the public authorities throughout Scotland, as well as the people generally, are favourable to the existing restrictions 101-109, 154-157.—Suggestion made by some of the police authorities for the opening of inns for refreshments on Sunday, under certain restrictions, 102.

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*O'Donel, Charles Joseph.* (Analysis of his Evidence).—Experience of witness for nearly eleven years, as one of the police magistrates of Dublin, 2043-2045.—He disclaims all sympathy with the publicans and spirit grocers on the question at issue, his feelings being

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being interested entirely on behalf of the drinking public, 2046—Conclusion arrived at, nevertheless, strongly opposed to the total closing of public-houses on Sunday, 2046, 2047.

Result of the experience of witness and Mr. Woodcock, as licensing magistrates, that there is on the whole worse drinking during the hours of closing on Sunday morning up to two o'clock than after the licensed houses are opened; illustrations to this effect, 2047, 2091-2095—Very careful precautions taken by illicit vendors so that the police can very rarely establish convictions, 20.—Belief that the great body of the licensed victuallers faithfully observe the present law, illicit traffic being carried on chiefly by beer sellers and spirit grocers, 2047-2055.

Apprehension lest the total closing of public-houses on Sunday would greatly aggravate the present evil of illicit drinking in beer-shops and unlicensed houses, 2047—Conviction expressed that the police cannot prevent the people of Dublin from getting drunk on Sunday, so long as they have money in their pockets; the whole city is, in fact, saturated with whisky and other liquor, 2047, 2078—Increased demoralisation of those resolved to procure drink go to shebeens and other disreputable places, instead of to the licensed houses, 2047—Enormous increase expected in the number of illicit houses, 20.—Probably also of much domestic drinking on Sunday, to the demoralisation of the younger members of families, 20.—Special evil in the case of these beer-houses having licenses to sell by wholesale, 2049, 2050, 2055.

Omission in the Act 35 & 36 Vict. c. 94, there being no prohibition against drink being "kept for sale" by unlicensed persons; amendment suggested, 2056—Amendment required also in the Act 37 & 38 Vict. c. 69, as regards publicans refusing and "delaying" to admit constables, 20.—Comment upon the great increase of penalty from 40 s. under the old Act to 50 l. under the new, 20.

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Conclusion that it would be very desirable to shorten the hours still more on Sunday, and to make them from two to six or seven; though there would doubtless be some increase of illicit drinking in the evening, 2064-2068, 2097-2100—Witness would gladly see the public-houses entirely closed on Sunday, but that he fears increased demoralisation, 2064—The same hours of closing should apply to the whole Metropolitan Police district, 2065.

Evidence in detail in support of the conclusion that more drinking and demoralisation, and more dissipation and waste of wages take place on Saturday evening than in all the rest of the week, including Sunday, 2069, 2076, 2088—Expediency of closing the public-houses at seven or eight on Saturday evening, though this would doubtless lead to some increase of illicit drinking, 2070-2076, 2088-2090, 2099, 2100, 2113-2117—Practice of witness as magistrate to inflict the full fine of 10 s. or seven days' imprisonment on conviction for drunkenness; doubt as to this penalty doing much good, 2076, 2077.

Hopelessness of any real amelioration in the general condition of the drinking habits of the lower classes in Dublin, so long as their homes remain in their present state of filth and abomination, 2077, 2078, 2126—Concurrence of some of witness' colleagues in the view that the public-houses should be closed earlier on Sunday, but not closed altogether, 2079, 2080.

Approval of a further and gradual decrease in the hours of sale on Sundays if experience shows that the first decrease has worked satisfactorily, 2081-2087—Probability of earlier closing on Saturday acting as a check to continued indulgence on Sunday and Monday, 2088-2091—Further statement as to the large amount of illicit drinking before the licensed houses are opened on Sunday, and as to the probable increase of the evil arising from shebeens by total closing of the licensed houses, 2091-2112, 2123-2130.

Considerable variation in the number of cases of drunkenness from year to year; reduction in 1876; 2118, 2119—Prospect of the benefits from early closing on Sunday outweighing the evil from an increase of illicit traffic, 2120-2130—Impracticability of preventing intemperance by legislation, 2126-2128—Prospect also of more good than harm by earlier closing on Saturday evening, 2131-2133.

Weight to be attached to the testimony of magistrates who have had experience of total closing in large cities under the same conditions as exist in Dublin, 2134-2139—Conclusion further expressed as to the failure of penalties as a means of repressing drunkenness,

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nos. 2140-2142.—Concurrence in a suggestion that the Chief Commissioner of Police in Dublin be empowered to select certain houses which might be open for *board* *side* travellers, 2143-2145.

*Orme, Edward.* (Analysis of his Evidence.)—Long experience of witness as Stipendiary Magistrate of Belfast, 3996, 3997.—Opinion that the public-houses should be open only from two till six on Sunday, 3998-4000.—Inconvenience to the middle and lower classes, and consequent dissatisfaction, if the houses be entirely closed on Sunday, 4001-4005.—Feeling of the upper classes in Belfast in favour of total closing, whilst many of the trading and lower classes are opposed thereto, 4002-4005, 4052-4071.

Efficiency of the police of Belfast for coping with illicit sale in the event of Sunday closing being enforced; approval, however, of some increase of powers in the police as suggested by Mr. Thynne, 4006-4015, 4046-4051.—Very few *board* *side* travellers or excursionists in Belfast on Sunday, witness not anticipating much difficulty on this point if Sunday sale be prohibited, save to this class; he is not prepared with any suggestion on the subject, 4016-4036, 4039-4044.—Salutary effect of the heavy fines imposed in sixteen cases, 4037, 4038.—Improbability of any riot or disturbance as a result of Sunday closing, 4074, 4075.

*O'Shaughnessy, Dr. James.* (Analysis of his Evidence.)—Long residence of witness in Limerick, of which city he is a magistrate, 5716-5798.—Views expressed by witness before the Select Committee of 1868 in favour of Sunday closing in Limerick, though attended with much difficulty, 5799, 5800.—Result of his experience since 1868, that total closing on Sunday is undesirable, and especially so unless it be decided to enforce earlier closing on Saturday evening, 5802-5813, 5826, 5848-5855.

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*Packet-boats.* Total of fifty-eight retailers of beer on board packet-boats in Ireland, *Reed* 199.

*Payment of Wages.* Impression as to the payment of wages on Saturday in Dublin taking place before six o'clock; probability that early payment would follow early closing, *Talbot* 826, 827. 894-897—Decrease of drinking in Dublin on Sunday, if wages were paid on Friday, *Corn* 1081, 1082—Varying practice in Dublin as to the time of payment of wages; objection to the old plan of paying late on Saturday evening, *Brusse* 3078-3083—Increasing practice in Belfast of payment of wages on Friday, or on Thursday, in order to stop the evil of Sunday drinking, *Preston* 4108—Improvement if wages were paid on Thursday, *Curtis* 4767—Advantage of an earlier payment of wages on Saturday, *O'Shaughnessy* 5855, 5859-5874—Payment of wages in Waterford generally, on Friday; large expenditure out of these in drink on Saturday, *Hanrahan* 6496-6501.

*Penalties.* Approval of the penalty of 10*l.* for sale of liquor to a drunken person, and of 20*l.* for the second offence, *Talbot* 353-357. 392, 394—Practical difficulty in making the penalties more severe in the case of publicans supplying men already drunk, *ib.* 971-976—Conclusion as to the failure of penalties as a means of repressing drunkenness, *O'Donel* 2076, 2077. 2140-2142—Freedom of licensed victuallers from risk or penalty, save for allowing drunkenness on the premises, whilst spirit grocers are liable in the event of any sale for consumption on the premises, *Kivrough* 4503.

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*Petitions (Dublin).* Exception taken to the mode in which signatures were obtained in Dublin to petitions in favour of Sunday closing, *Dwyer* 1837—Explanation of the way in which signatures were obtained to petitions in support of the present Bill, *Russell* 2221-2225—Information relative to some of the places at which petitions were left for signatures; reference especially to the working men's club, *ib.* 2326-2338. 2382, 2383.

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Particulars as to witness having obtained numerous signatures to petitions from Dublin in favour of Sunday closing, by asking the lower classes to sign on leaving certain Roman Catholic churches, the refusal to sign having been not more than one in ten, *Murray* 3219-3223. 3228-3233—Witness is not prepared to impeach the petition from the working men in 1876 against the Bill, *ib.* 2658-2660—Numerously signed petitions this year in favour of the Bill, *ib.* 2660.

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Comment upon the course pursued in lodging petitions against the Bill at public-houses in Dublin, and in obtaining signatures through the publicans' influence, *Brusse* 3906, 3917. 3926. 3101-3104.

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*Police.* See *Belfast*, 1, 3. *Cork*, 1. *Dublin*, 6, 6. *Illicit Sale.* *Limerick*, 2. *Refreshment Houses.* *Waterford.*

*Portobello (Dublin).* Circumstances of the inhabitants of the Portobello district having, by the employment of civilian detectives, put down tipping in bad houses, *Mr. Alderman McSwiney* 1598, 1699.

*Poverty.* Great amount of poverty in Dublin, as well as of crime, due to the intemperance of the working classes, *Falkiner* 1181.

*Preston, John.* (Analysis of his Evidence.)—Is mayor of Belfast, and has had a very long experience as an employer of labour in the city, 4076-4081—Prevailing opinion of the community generally that Sunday closing of the public-houses is desirable, 4082-4083. 4166-4168—Large public meeting recently held, and numerously attended by the working classes, at which the Sunday Closing Bill was unanimously supported, 4085-4096. 4169-4173—Opposition offered to the Bill by the licensed victuallers of Belfast, though some of them approve of it, and hold only six-day licenses, 4097-4102. 4221.

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## SATURDAY:

1. *Excess of Drunkenness on Saturday as compared with Sunday and other Days.*
2. *Concurrence of Evidence as to the Importance of earlier Closing of the Public-houses on Saturday evenings.*

1. *Excess of Drunkenness on Saturday as compared with Sunday and other Days:*

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2. *Total Closing under the Forbes-Mackenzie Act of 1853: Concurrence of Opinion as to the Beneficial Effects thereof.*
3. *Provisions and Operation of the Public-house Amendment Act of 1862 as regards the Opening of Hotels on Sunday to Travellers; Amendment suggested.*
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## U.

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*Voluntary*

## V.

*Voluntary Closing.* Special occasions of public demonstrations in Dublin upon which the publicans (much to their credit) have voluntarily closed their houses; excellent effect thereof, *Mr. Alderman M. Suinoy* 1471-1473 1558-1566. 1592-1597. 1616-1618—Approval of continued action of the Roman Catholic clergy in support of voluntary closing of public-houses on Sunday, as distinct from compulsory closing, *Daly* 4647-4653. 4669.

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## W.

*Wages.* Reference to the Sunday traffic as the vortex of wages, the people having no other amusement than to frequent the public-houses, *Falkiner* 1199. 1226-1234.

*See also Payment of Wages.*

## WATERFORD:

1. *Population, Area, and Police Force.*
2. *Amount of Drinking and of Drunkenness on Sundays, and on other Days in different Years.*
3. *Illicit Sale; Action of the Police in the Matter.*
4. *Home Drinking.*
5. *Excursionists.*
6. *Publicans and Licenses; Number of Publicans in favour of Sunday Closing.*
7. *Local Feeling generally on the Question of Sunday Closing.*
8. *Public Reading-rooms and Library.*

1. *Population, Area, and Police Force:*

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2. *Amount of Drinking and of Drunkenness on Sundays, and on other Days in different Years:*

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Very few convictions for sale in unlicensed houses on Sunday, whilst the convictions for illicit sale in licensed houses are also not numerous, *Heard* 6113-6117.—Steps taken by the police in order to detect illicit sales, and to obtain convictions; amendment desirable in their powers for the purpose, *ib.* 6118-6123.—Belief that illicit traffic could be effectually checked by the present police force, the houses being closed by law, *ib.* 6146, 6147, 6203-6205.

Probability of there being some illicit traffic in drink on Sunday, though witness cannot speak to the amount, *Freeman* 6230, 6231.—Dissent from a statement that a great deal of illicit drinking takes place when the houses are closed, *ib.* 6322, 6323.—Very few grocers who sell spirits; doubt as to any grocers opening on Sunday, *ib.* 6412-6415.

Impression as to there being much illicit drinking in the shebeen houses on Sunday; great difficulty in proving sale in shebeens, *Hanrahan* 6437-6441.—Extensive drinking also in licensed houses on Sunday at prohibited hours; instance of this, *ib.* 6442, 6443.—Doubt as to any grocers at Waterford having been convicted for selling for consumption on the premises; the grocers, in fact, hold publicans' licenses, *ib.* 6514-6518.—Belief that no eating-houses in the city are open on Sunday, *Fisher* 6670-6673.

*4. Home Drinking:*

Very little home drinking on the part of the working classes in Waterford, *Fisher* 6644-6647, 6663.

*5. Excursionists:*

Numerous excursionists from Waterford to Tramore on Sunday; opportunity of these for obtaining refreshment, *Heard* 6142-6145, 6173-6175.—Probability of persons going from Waterford to Tramore on Sunday and obtaining drink as land-side travellers if the houses were closed in Waterford, *Freeman* 6398, 6393.—Limited extent to which the public-houses are used on Sunday by persons passing through Waterford to Tramore, *Hanrahan* 6448, 6449.

*6. Publicans*



## Report, 1877—continued.

## WATERFORD—continued.

6. *Publicans and Licenses: Number of Publicans in favour of Sunday Closing:*

Total of 147 publicans with seven-day licenses, and of sixty-seven with six-day licenses; in addition to the latter twenty-four of the former close all day on Sunday, *Heard* 6095-6095—Feeling of the respectable publicans in favour of Sunday closing, *ib.* 6131.

Circumstance of sixty publicans having voted for total closing, and only thirty-six against, *Freeman* 6224—Total number of licensed houses in Waterford in proportion to the number of publicans who have declared in favour of total closing, *ib.* 6274-6277—Anxiety evinced by the magistrates to issue six-day instead of seven-day licenses, *ib.* 6334.

Decreased number of seven-day licenses in Waterford, without the issue of six-day licenses causing any decrease of drunkenness, *Fisher* 6549-6550.

Returns containing particulars as to the number of public-houses, &c., *App.* 339, 340.

7. *Local Feeling generally on the Question of Sunday Closing:*

Belief that the people of Waterford generally, save drunkards, are favourable to total closing; unanimity on the subject at several public meetings, *Heard* 6132-6141, 6200-6202.

Excellent opportunities of witness for arriving at the conclusion that the great majority of all classes in the city are in favour of total closing of the public-houses on Sunday, *Freeman* 6213-6220—Unanimity on the subject at several public meetings held in the years 1873-76, *ib.* 6220, 6224—Belief that seven-tenths of the working people would like to see the houses entirely closed, *ib.* 6293.

Reference to a plebiscite taken in February 1876, when an immense majority voted for total closing, *Freeman* 6224-6226—Conclusion that there need not be the slightest fear of any rioting as a consequence of total closing, *ib.* 6234, 6400, 6401—Explanation of the action of the town council upon the question of Sunday closing; exceptional circumstances under which a petition in favour of total closing was not adopted at a meeting of the council, *ib.* 6251-6259, 6395-6397.

Statement as to the question at issue not having caused much excitement or interest at the time of the last Parliamentary election, *Freeman* 6260-6266—Circumstance of a memorial in favour of Sunday closing having been signed since the election by more than 700 electors, *ib.* 6261, 6262—Very large proportion of the householders and room-keepers in the city who voted in favour of total closing, *ib.* 6267-6271, 6275.

Examination with further reference to the public meetings on the question of Sunday closing, and the number and class of persons who attended; statement as to the meetings having been called by the supporters of the movement, *Freeman* 6279-6283—Examination also as to the circumstances under which the memorial before referred to was sent round for the signature of electors; doubt as to its having emanated from a public meeting, *ib.* 6324-6330—Use of public-houses by the memorialists generally, more or less, about half who signed being working men, *ib.* 6351-6357.

Further statement showing the very general feeling among the working classes in favour of Sunday closing, *Freeman* 6386-6389—Belief that a large number have declared in favour of total closing than would have declared for partial closing, *ib.* 6416-6423, 6430.

Grounds for the conclusion that the majority of the people of Waterford are opposed to Sunday closing, *Heard* 6450, 6451—Data for the conclusion that the working classes are for the most part opposed to total closing, *ib.* 6536-6540.

Impression that the feeling of the people of Waterford is adverse to Sunday closing; grounds for this opinion, *Fisher* 6600-6610, 6673-6675—Statement as to the feeling and action of the town council on the subject, *ib.* 6611-6615—Explanation as to witness having written in the local press against total closing as only likely to make matters worse, *ib.* 6668-6671.

8. *Public Reading-room and Library:*

Steps taken by witness towards providing a public reading-room and library in Waterford, *Fisher* 6633-6641.

See also *Clergy*.

*Week-days.* Inexpediency of applying the principle of total closing to week-days as well as Sunday, *Falmer* 1415-1418—Objection to a general prohibition upon the sale of alcoholic liquor, even though it might prevent waste of wages, *Murray* 3216-3218, 3225—Improvement if the houses did not open till ten o'clock on all week days, *Ellard* 6003, 6003—See also *Monday.* *Saturday.*

## Report, 1877—continued.

**Wexford.** Prevalence of drinking some years ago on Saturday evening in Wexford, *Taillor* 419-422, 571, 572.—Examination relative to the Sunday closing movement in Wexford, under the auspices of the Roman Catholic clergy; degree of success attained, *Daly* 469-474.—Instances of disorder and drinking since Sunday closing has been observed in Wexford, *Herald* 6205-6209.—See also *Voluntary Closing*.

**Whisky.** Consumption of whisky rather than of porter and ale by habitual drinkers in Ireland, *Carr* 1045-1048.—Difficulty in keeping whisky from Saturday to Sunday in workmen's houses, *Dwyer* 1798, 1810.—Probability of whisky rather than beer being stored for home consumption, *Duigan* 2811-2813.—Increase of fifty per cent. in the consumption of spirits in Ireland between 1864 and 1876, *Fluker* 6585, 6621.—Increasing consumption of whisky by the middle classes, *ib.* 6685.

See also *Adulteration*. *Ale and Porter*.

**Wine Refreshment Houses.** Total of forty-five wine refreshment houses in Ireland, for consumption on the premises, *Reid* 196.

**Witnesses' Expenses.** Particulars thereof; total of 306*l.* 17*s.* 6*d.*; *Rep.* xiv.

**Wives.** In Dublin the women drink almost as much as the men, *Taillor* 541.—Increasing resort of respectable young women in Dublin to public-houses on Sunday, *Mr. Alderman M'Sweeney* 1533, 1600.

Statement as regards the large number of voting papers in favour of Sunday closing which were signed by women or by the wives of working men, *Russell* 2314-2317.—Weight to be attached to the feeling of the wives of working men in favour of Sunday closing, *ib.* 2475-2477.—Very general feeling of the women of the lower classes in Waterford, in favour of Sunday closing, *Fremson* 6386.

**Woodcock, William.** (Analysis of his Evidence).—Experience of witness since 1872 as one of the divisional or police magistrates of Dublin; authority exercised in regard to licences as well as ordinary police cases, 1619-1623.—Data for the conclusion that the great majority of the cases of drunkenness which come before the magistrates on Monday morning occur upon Saturday night, 1624-1627, 1739.—Lavish expenditure of wages in drink on Saturday, 1628.—Special importance of closing the public-houses much earlier on Saturday, or not later than seven o'clock; this is of far more consequence than total closing on Sunday, 1629, 1643, 1684, 1685, 1733.

Approval of very early closing, or rather of total closing, on Sunday; belief that the actual inconvenience would be small, 1629, 1630, 1643-1645.—Effect of heavy drinking on Saturday to induce continued indulgence on Sunday and Monday; advantage on this score if liquor were not procurable on Sunday, 1631-1634, 1684-1687.—Belief that the publicans of Dublin are generally a law-abiding body of men, and do not sell at illegal hours on Sunday, 1635.—Prevalence of illicit drinking on Sunday in beer-houses and in unlicensed houses; reference especially to wholesale beer-dealers' houses, 1636-1638.—Impression that illicit drinking is not on the increase, 1636.

Fewer arrests for drunkenness on Sunday than on other days; this is owing partly to the shorter hours of opening on Sunday, and to the people going largely into the suburbs, 1640-1643, 1740, 1741.—Impression that total closing on Sunday would not have any very marked effect, though it would doubtless do some good, 1643, 1685, 1733, 1793.—Belief that the people generally could find storage for drink for Sunday use at home, 1644, 1688-1690.—Amended definition desirable as regards *bona fide* travellers, so as to prevent abuse of a Sunday closing law; suggestion on this point that the Commissioner of Police might select houses for sale only to this class, 1645-1650, 1678-1682.

Grounds for concluding that the same law as to Sunday closing which applies to the extra-metropolitan districts, and to the county at large, should equally apply to Dublin and other large towns, 1651, 1652, 1737, 1738.—Greater excess of Sunday drinking inside than outside the municipal boundary, so that total closing would be a greater interference with the habits of the people in the former case, 1653-1656.—Limited increase of illicit drinking to be apprehended as a result of total closing; reference hereto to the exceedingly low and disreputable character of the unlicensed houses, 1657-1660.—Inadequacy of the present fine for illicit sale; increase suggested, 1661, 1662.—Advantage of a heavier money penalty rather than of imprisonment, 1663, 1654-1663.

Suggestion that spirit grocers be required to close on Sunday if the hours for public-houses be curtailed, 1665.—Circumstance of there being an association of spirit grocers opposed to sale on Sunday; statement hereto as to the total number of convictions of spirit grocers for illicit sale, 1665-1673, 1691, 1692, 1719-1730.—Probable improvement if spirit grocers were prohibited from selling whisky in small quantities, 1674-1677.—Far more numerous cases of drunkenness on Saturday than on any other day, 1684.—There need be no fear of riots as a result of Sunday closing, 1692, 1694.

Probability of the cases of drunkenness before the magistrates including many individuals arrested repeatedly, who are in fact habitual drunkards, 1695-1701.—Examina-

tion

*Woodcock, William.* (Analysis of his Evidence)—continued.

tion to the effect that more drinking on Sunday takes place in public-houses than in spirit grocers' shops, and that more active measures for the repression of illicit sale in the latter would not attain the end in view, 1702-1718.—Degree of rivalry between spirit grocers and publicans, the former not being allowed to sell for consumption on the premises; hence probably the readiness of spirit grocers to close on Sunday if the publicans would do so, 1719-1730.

Witness repeats that Sunday closing will do but little good in comparison with earlier closing on Saturday evening, 1733.—Frequent indulgence in drink for the sake of companionship, this evil no longer occurring on Sunday if the public-houses were closed throughout the day, 1734-1738.—Inducement to subsequent drinking in unlicensed houses on Sunday if men have the opportunity of commencing to drink in the public-houses, 1748, 1749.

**WORKING CLASSES:**

Conclusion that whilst the working classes generally would feel aggrieved by total closing they would put up with a gradual increase of closing as being for their benefit, *Tillot* 747-755.

Examination as to the weight to be attached to a certain petition signed by 12,000 of the working men of Dublin against the present Bill, *Falkner* 1375-1389.—Much greater overcrowding of the working classes in Dublin, and fewer facilities for recreation than in provincial towns, *ib.* 1317-1323.—Question considered as to the fictitious character of some of the signatures to a petition against the Bill purporting to be signed by 12,000 working men of Dublin, *ib.* 1439-1441, 1443-1445.

Desire evinced by many of the working classes of Dublin to be rid of the temptation to drink on Sunday, *Mr. Alderman M. Slaney* 1466.—Opportunities of witness for knowing the feelings of the working classes on the question at issue, and for concluding that their poverty is caused chiefly by indulgence in drink, and that they would gladly be free from the temptation on Sunday, *ib.* 1496-1503, 1514-1521, 1529.

Witness repeats that the vast majority of the working classes are in favour of total closing of the public-houses on Sunday, *ib.* 1522, 1537-1549.

Conclusion that the artisan class in Dublin, and the working classes generally, are opposed to total closing; explanation hereon as to there being no wide-spread agitation against the present Bill, *Dwyer* 1770-1786, 1822-1828.—Belief further expressed that the working classes of Dublin are not by a considerable majority in favour of Sunday closing; even if that were so, witness submits that the Bill, with the penalties involved, is highly inexpedient, *ib.* 2012-2018.

Numerous fictitious signatures to the working men's petition in 1875 against the Bill, *Russell* 2509-2513, 2542-2557.—Circumstances of these signatures having all been obtained in public-houses, *ib.* 2514-2516.

Large number of men not in a fit state for work on Monday morning, owing to intemperance on Sunday, continued frequently from Saturday evening, *Russell* 2514-2526; *Brice* 3024, 3025, 3132-3137, 3144, 3145; *Preston* 4103-4107, 4168, 4174-4177; *Clary* 5030-5052, 5153, 5183, 5184.—Inexpediency of any reversal of a Sunday closing law in the event merely of its proving distasteful to the working classes, *Frasman* 6428, 6439.

Absence of any co-operation on the part of the working classes with the Sunday Closing Association, *Duignan* 1757.—Expediency of respectable and temperate artisans having full facilities for obtaining refreshment on Sunday, without any curtailment of the present hours, *Higgins* 1977-1989.

Apprehension lest Sunday closing would convert Monday into an idle and drinking day on the part of the working classes, *Fisher* 6581.—Practice of the working classes to keep a portion of their wages for drink, witness submitting that if the houses were closed on Sunday the present number of cases of drunkenness on that day would be added to the number on Monday, *ib.* 6676-6684.—Occasional absence of men from work on Monday morning; doubt as to this being the result of Sunday drinking, *ib.* 6684, 6693.

See also *Mr. and Porter.* *Belfast*, 7. *Chas.* *Cork*, 8. *Dublin*, 7, 8, 10.  
*England.* *House of the Lower Classes.* *Limerick*, 6. *Petitions.* *Public*  
*Opinion.* *Recreation.* *Storage of Drink.* *Temptation to Drink.* *Total*  
*Closing.* *Voluntary Closing.*

